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ON THE RELATIONS

BETWEEN

ENGLAND AND ROME

DURING THE EARLIER PORTION OF THE REIGN OF HENRY III.

BY

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ON THE

RELATIONS BETWEEN ENGLAND AND ROME

DURING THE EARLIER PORTION

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Object and scope of the following Essay.

I PROPOSE in the following pages to give some account of the relations between the Church of England and the Court of Rome during the first twenty years of the reign of Henry III., my object being to bring together, and as far as is possible separately from the general history of the church and the country, the acts done by the Court of Rome either directly or by its agents, during those years—in order that it may be seen what the actual influence of Rome in this country was, and how it was exercised at a time when the Papal power was nearly at its height, and while nothing like what can be called a strong government existed in England. It is perhaps needless to add that it can be only by seeing what were the acts of the Popes in England that we can trace what were the real advantages and what the weaknesses of the connexion with Rome—and thence ascertain what were the real causes of the disruption in the sixteenth century; a disruption which, if it was certain to take place at some period of the history of England, need not of necessity have been of the character that it eventually received, need not therefore have arrayed the two chief portions of Western Christendom, as it were, in hostile camps, injuring and impairing one another's usefulness to the extent that has been so unhappily the case. And at the outset, while I have no sympathy with writers who would dwell with especial reverence on those who are described as "materially[1] aiding the blessed work of riveting more tightly the happy chains which

[1] Faber's *Life of S. Wilfrid*, p. 84.

held England to St Peter's chair," I would equally express my feeling as to the sadness of our present condition of isolation, and that I thoroughly realize the truth of the remark that has been recently made, that "nothing' can be more fatuous than to endeavour to bring about the unity of the churches by ignoring the chief of them, the great mother church of the West."

Necessity of judging each age by its own ideas.

There can be no worse error than to judge one age by the ideas prevalent in another. To judge any one age fairly, we must know what its standards were, what its peculiar difficulties, what means it had of escaping from them. Of no age is this more true than of the thirteenth century;—and to judge it by the ideas which were rife in the sixteenth or nineteenth centuries, will only lead to hopeless confusion, and to a complete misunderstanding of what were its trials and its dangers, and how its chief actors bore themselves among them. I do not mean to say that the actors of any one period of the world's history are not responsible for the ideas or theories by which they allow themselves to be influenced or governed. But it is the duty of the historian to ascertain, as far as may be, how far it has been possible for a generation to improve its own ideas, to create a higher standard for itself than that which its predecessor has handed on to it,—certainly not to judge it and condemn its greatest minds for not entertaining theories which came into vogue long afterwards, and which had they then been broached would not have been understood,—in reality would not have been suitable to earlier times. One such especial theory is that of "National Churches." Such an idea, however suited to a time like our own, was utterly alien from the mind of Europe in the middle ages. Nations themselves were not so clearly marked as they became afterwards. The large continental possessions of the English kings would prevent anything like the idea of England being separated from or having little interest in the rest of Europe. The theory of the Roman empire would tend to bind all the nations of the continent of Europe together. And this tended to keep away the sense of isolation from the Church of England. A John of Salisbury is made Bishop of Chartres without there being any thought of unfitness in one who had spent his life in England being put over the diocese of a foreign country. A William of Coutances, after being Bishop of Lincoln, goes back to Normandy, and dies as Archbishop of Rouen.

National churches.

[1] *Union Review*, Vol. XIII. p. 485.

Theory of the Papal supremacy.

In theory, and especially in the infancy of society, the union of all churches under one common head, and that head independent of all, must be allowed to be the perfect ideal for which we should look when Christianity became the acknowledged religion of the world. A great modern historian[1] has remarked that "one great temporal characteristic of Christianity is, that it connected mankind by higher and more universal ties than those of nationality. It taught men of every race and language that religion ought to bind them together by ties which no political prejudices ought to have strength to sever, and thus revealed how the progress of human civilisation is practically connected with the observance of the divine precepts of Christ." Nations that have lost sight of this have corrupted Christianity in various ways. With the Roman Court itself, the losing sight of its real function as the central authority of Christendom led to the endeavour to make use of the ecclesiastical systems of other countries for its own advantage and increase of power and wealth;—with England the reaction, from what at one time was a protection, but at last became a tyranny, led to an exultation in its isolation, and a forgetfulness of that bond which never can be really entirely broken, which unites still all the followers of the Crucified in one society.

Reasons for the selection of this period of English History.

I have selected this period of English ecclesiastical history for examination in this respect because it was the time when the power of the Popes in England was at its height[2], in consequence of the signal services which had been rendered to the cause of good order and peace in England by the power and influence of Rome, and because the arrangement between the English nation and the Roman Court seemed fixed on a steady and permanent basis. Moreover the time was one of comparative peace in England, and as the country was less than usually occupied with foreign wars and schemes of foreign aggrandisement, there was more opportunity for the internal progress of society, and greater freedom for the Church to carry out her work. Besides, from the age of the great charter may be dated the beginning of so many of our institutions, of so much that has influence over us even at the

[1] Finlay's *Greece under Othoman and Venetian Domination*, p. 160.

[2] It was a very different thing in the previous century, when papal protection has been described as "an empty name, and papal intimidation a bugbear." See the mocking epigram of Giraldus Cambrensis "in censuras Romani pontificis," Brewer's *Giraldus*, I. p. 374.

present day. It is a time too when we possess fuller accounts of the events that concern this country, both within the country itself and in its foreign relations;—when our annalists and historians are perhaps more copious than at any period before the invention of printing;—when also from the Regesta[1] of the Popes and the letters of our own sovereign and ecclesiastics so many incidental circumstances are preserved, which often give a clearer insight into the state of things existing than the fuller pages of professed historians. This is indeed the case throughout the whole of the thirteenth century. The next century is singularly barren in this respect in comparison with its predecessor. For though the cause is not evident, the great monastic houses ceased to carry on their annals[2], and Trokelowe and Walsingham are poor substitutes for Wendover and Paris.

Condition of England at the death of John.

Before entering into the details of the ecclesiastical history of the reign of Henry III., it is important to have before us the condition in which the country was left at the death of John, and the estimation of the Papal authority then in England and France, as thus only can it be seen how the power then exercised was obtained, what were the causes why for so long a period a ready submission was given to it. Mr Brewer has remarked[3] how the

Innocent III.

"transcendant genius of Innocent III. is conspicuous not only in the changes which he wrought in the whole system of European

[1] I must express my acknowledgment for Mr Potthast's splendid collection of these. Since this essay was begun, I have received his concluding part, in which many of his omissions are rectified, *e.g.* the letters given in the Appendix to the first volume of Shirley's *Royal Letters*, though he has still neglected several in the book itself. He has also introduced the letters for the omission of which he was taken to task by Pressutti. I cannot help expressing a wish that he had corrected some of the extraordinary blunders of Pressutti's extracts, no doubt due to the Italian scribes; *e. g.* p. 51. *Comiti Cuarencasi* (Warrenne), Huberto de *Burlo* (!), p. 68 *Oxoniensi episcopo* (!). In spite, however, of these additions he has neglected many English works in which he would have found additional letters or bulls of the Pope: *e. g.* Archbishop Gray's *Register*, edited by Mr Raine for the Surtees Society, the *Historiæ Dunelmensis Scriptores tres* in the same series, the Gloucester Chartulary edited by Mr Hart for the Rolls series, &c. He has only used the Hague edition of the *Fœdera*, and so has missed several documents in the new edition: nor has he used Haddan and Stubbs' new edition of the *Concilia*, in which he would have found more than one document which ought to be in his collection.

[2] See my remarks in the preface to the fourth volume of the *Annales Monastici*, p. lv.

[3] Preface to Giraldus, I. p. lxviii.

politics, but still more in his successful mastery of all opposition from contemporary sovereigns... He found Christianity in a fluid, indeterminate state, with a tendency to glomerate round different centres and revolve in independent orbits: At his death he left the papacy the sole acknowledged centre towards which all states gravitated as the law of their existence; and what perhaps was more difficult to achieve, he rooted his conviction for centuries in the hearts of men, however opposite their moral or intellectual characters." How true this is may be seen in many of the ablest writers of the time, men among those who are known as opponents of the chief abuses of the papal powers in England. A remarkable specimen may be quoted from a letter, written apparently to the Pope by Adam de Marisco, on the occasion of Henry III.'s assuming the cross. After quoting several passages from the Old Testament Scriptures, with that marvellous knowledge of the text of the Bible which the writers of the thirteenth century had, and applying them to the Papacy (as Deut. xvii. 12, Jer. i. 10, Esther (Apoc.) xiii. 2), he goes on, referring to St John xxi.,

Reverence for the Papal power in the thirteenth century.

"Accedit[1] huc efficacia non mediocris, quod discipuli navigabant et Dominus apparebat in littore, quodque jucundus erat in corpore redivivo. Sciensque Petrus quia Dominus est, in mare se misit, et sic venit ad Ipsum, aliis navigio pervenientibus. Nempe signum insigne singularis pontificii Petri, cui vos in integrum successistis, quod non navim unam ut cæteri quique suam, sed saeculum ipsum suscepit gubernandum. Mare totum sæculum est; naves, ecclesiæ."

This sense, that the care of the whole world was entrusted to the Popes, that all who refused to acknowledge the primacy of S. Peter's chair and submit were in direct opposition to the word of God and to the polity which Christ had left on earth, is the keynote to the conduct of the Popes, at this, the highest point of their power and influence. And we do not find that those who held aloof and refused to submit were in any way the gainers. The historian of the Byzantine empire has remarked how much the condition of the Western nations was improving at this time, while the Greeks remained without improvement. The hatred they entertained for the nations which acknowledged the papal supremacy led them to reject many of the reforms that were being carried out in the West. "The[2] consequence was that the arbi-

Inferior condition of those who refused to acknowledge it.

[1] *Adæ de Marisco Epistolæ* (*Monumenta Franciscana*), p. 419.

[2] Finlay's *Byzantine and Greek Empires*, II. p. 345.

trary power of the Byzantine emperors was exercised without any civil or ecclesiastical restraint... The Papal Church was at this time often actively engaged in defending freedom, in establishing a machinery for the...purpose of restraining the abuses of the temporal power of princes. In short, the Papal Church was then the great teacher of social and political reform." The same writer[1], in his account of the condition of mediæval Greece, in speaking of the great increase of the papal power during the 11th and 12th centuries, says, "The authority of the Popes, in Western Europe, was based on the firmest foundation on which power can rest: it was supported by public opinion, for both the laity and the clergy regarded them as the only impartial dispensers of justice on earth, as the antagonists of [illegible] oppression, and the champions of the people against royal tyranny."

The succession of Henry III. to the throne due entirely to the legate Guala.

How this power was brought to bear upon the condition of England in the year 1216 must be our next consideration. There can be no doubt that the preservation of the Plantagenet line on the throne of England, and the defeat of the prince, chosen by so large a portion of the barons, Louis, the son of Philip Augustus, were entirely due to the influence of Rome. The immediate agent employed by the Pope was the legate, Cardinal Gualo or Guala, a man who has been very unfairly described[2] as "a feeble avaricious man, who seems to have plundered without shame, and to have intrigued without success." Far from this, he appears to have seen with great acuteness the immediate steps to be taken at a time when a false step would have lost all. Thus he saw that the first thing to be done was to have the young king crowned; and this was done at Gloucester, hastily, with as many spiritual and temporal peers as could be mustered for the occasion[3]. The king was compelled to swear that he would give peace and reverence to the church, to take an oath of good government to the people, and of homage to the Roman Church and the Pope, and that he would pay the tribute which John had undertaken to pay annually to the Roman see. The legate then renewed the sen-

His skill in bringing this about.

[1] Finlay's *Mediæval Greece and Trebizond*, p. 76.

[2] Shirley, *Royal Letters*, I. p. xix. I do not mean to deny that Guala took care of his own interests at the same time. Paris speaks of the vast amount of treasure he managed to secure before his departure from England: with part of it he built the church of St Andrea at Vercelli. Guala seems the correct form of his name—at least in his epitaph at St Andrea he is styled Car Guala dinalis (Murray's *Hand-book for North Italy*).

[3] Wendover, IV. p. 1--3.

tence of excommunication against Louis. He soon after saw that the struggle would be decided at Lincoln; and after urging[1] William Marshal to summon the castellans for its relief, he went there himself, exposed[2] the injustice of Louis' claim before the whole army, and after repeating the excommunication against Louis and his followers, absolved and blessed the royal army, and was[3] with the young king when William Marshal brought the news of his victory. He then met Louis at Staines with the king and the marshal, and was the chief agent in arranging the terms of the peace which followed. It is clear with what interest the struggle was watched at Rome; there are letters of Honorius III. granting[4] the legate full powers against the adherents of Louis, and also to the Archbishop of Bourdeaux[5], directing him to protect English interests there at this time; and at the same time the Pope wrote[6] to Philip Augustus to induce him to persuade his son to give up the contest. There is a remarkable letter[7] of Bishop Grosseteste, written in 1245 (that is nearly thirty years after the accession of Henry III. to the throne), in which, in writing to P. Innocent IV., he gives an account of the king's devotion to the Pope and to the Roman Church. The king speaks of his determination to preserve the rights of his crown intact, and at the same time expresses in the strongest language his fidelity and devotion to the Pope as his spiritual father, and to the holy Roman Church as his spiritual mother; "To them," he adds, "will we firmly adhere, both in prosperity and adversity; on the day when we do not do this, we consent to lose an eye or even our head; God forbid that anything separate us from devotion to our spiritual father and mother. For besides all the reasons which affect us in common with other Christian princes, we are above all others bound to the church by an especial reason; for just after our father's death, while still of tender age, our kingdom being not only alienated from us, but even in arms against us, our mother the Roman Church, through the agency of Cardinal Gualo, the legate in England, recovered this kingdom to be at peace with us and subject to us, consecrated and crowned us king, and raised us to the throne of the kingdom."

Motives of the Roman See.

It would be a great error to suppose either that the object of the Roman Court in thus fixing the young Plantagenet on

[1] Wendover, IV. p. 18. [2] *Id.* IV. p. 19. [3] *Id.* IV. p. 26.
[4] Shirley, *Royal Letters*, I. p. 527. [5] Bouquet, XIX. 611. Shirley, I. 529.
[6] Shirley, I. 529. [7] *Epistolæ R. Grosseteste*, CXVII. p. 338.

the throne of England, was to deliver England from a foreign yoke, or that the barons were not true to their country when they invited Louis over. Until John's submission, Innocent III. had prepared the strongest measures against him. After he had declared John's deposition, he wrote[1] at once to Philip Augustus to carry out the sentence, a message brought to the French king by the Archbishop of Canterbury and the Bishops of London and Ely, and placed all who should aid in John's overthrow in the condition of crusaders. He even sent Pandulf into France to stir up the matter. He evidently by this only intended to force John into submission, as he had privately[2] given to Pandulf a form of submission which he was ready to accept from him. And when John did submit, he at once directed[3] Pandulf to bid Philip desist from the invasion, an announcement which naturally provoked his anger, as he said he had spent upwards of £60,000 on his expedition against England, undertaken as it was at the command of the Pope, and for the forgiveness of his sins. Wendover[4] indeed tells us that Philip would have disobeyed the Pope and carried out his intention of invading England, had not Ferrand, Count of Flanders, refused to join him. Philip in a fury swore[5] that Flanders should be France, or France Flanders, and poured his troops into Flanders. The Count naturally looked for aid to John, and the French defeat at the Seine followed, which forced Philip to return home in disgrace,—a disgrace, however, fully avenged the next year at Bouvines. John's submission made it a point both of honour and of interest to the Pope to support him. Rome would forfeit its character as the protector of nations, if it failed to receive the penitent on his submission: the Pope would have no chance in ever receiving the guaranteed tribute, if another king were to reign who was bound by no such promises, and had attained his position not only without any aid from Rome, but in actual defiance of the Papal authority.

Motives of the English barons.

On the other hand, we should be wrong in attributing unpatriotic motives to the barons who called in Louis. Their feeling was, that John had absolutely forfeited the crown. In the embassy[6] sent by Louis to the Pope, his ambassadors

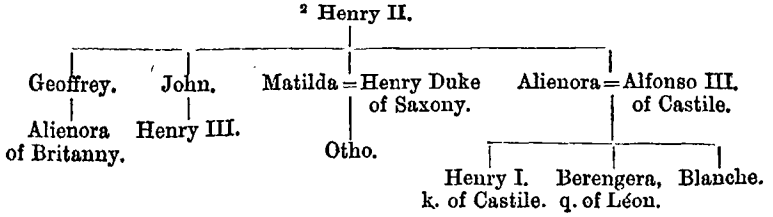
[1] R. Wendover, III. 241. [2] *Id.* III. 242. [3] *Id.* III. 256.
[4] *Id.* [5] Matt. Par. II. 548. [6] R. Wendover, III. 373—378.

assert that John was condemned to death by the judgment of his peers in the court of the French king for the murder of his nephew Arthur; and on the Pope objecting that John was an anointed king and could not be judged by barons his inferiors, they pointed out that in his own kingdom the French king had jurisdiction over all his lieges,—that John was duke and count under him as his liege lord, and that his being an anointed king elsewhere did not alter this. Paris[1] has a curious addition to this, that John would have submitted to Philip's tribunal, if he could have got a safe conduct from Philip; but that, Philip naturally saying that his power of returning in safety must depend on the result of the trial, he was afraid to go. The Pope then insisted that even were John rightly deposed, his son should succeed: the ambassadors replied that in the case of any one adjudged to death, his sons born before the sentence had a right to succeed, but not those born since. This seems to have been allowed as a valid argument; but the Pope still denied Louis's right as the next heir. He claimed the English crown as the husband of Blanche of Castile, daughter of Alienora, second daughter of Henry II., wife of Alfonso III. of Castile. But, as the Pope pointed out to the ambassadors, to say nothing of the claims of Arthur's sister, Otho, who was the son of Matilda, the eldest daughter of Henry II., by Henry the Lion, duke of Saxony, would have a prior claim to the children of Alienora; and even of these, there were the king of Castile, and Berengera, wife of Alfonso IX., king of Léon, the elder sister of Blanche[2]. The ambassadors' reply to this was, that the brother's or sister's children have no right to succeed, if the brother or sister were not living when the sentence was issued; this would cut out Arthur's sister (Alienora of Britanny) and Otho; and as to the brother and sister of Blanche (the king of Castile and queen

Claim of Louis to the crown.

[1] Matt. Par. II. 658. Paris quotes the well-known line of Horace (Ep. I. 1, 74).

[2]



of Léon), they made no claim, and therefore their claim passes on to the next heir, who was Louis. "Therefore," they go on to say, "the lord Louis enters the kingdom of England as his own. And if one nearer to the crown than he wishes to object upon this, the lord Louis will do in the matter what is right." The Pope then stated that the kingdom of England was his own (suum proprium), and that therefore Louis had no right to make war upon it; he was answered that war had been declared before the kingdom had become the Pope's. And to any objections that John had taken the cross, and so was under the especial protection of the church, they replied that Louis had been attacked by John before he assumed the cross, that he had been grievously injured by John, and that John had refused to make peace. If the barons of England and all their partisans were excommunicate, this did not affect Louis, who was not so much helping them as pursuing his own right, and the Pope could not know what was the nature of this right at the time when the excommunication of the barons was issued; and to the Pope's remark on this that both Philip and Louis had treated John as king after the sentence pronounced against him by the barons of France, the ambassadors denied that they had done so, but had styled him a deposed king, just as a deposed abbat or any one else.

Feelings of both parties.

I have mentioned this in order to show how entirely each of the opposing parties considered they were acting in a legal way, and how both were to a certain extent willing to submit to the judgment of the Roman See, as the ultimate appeal in all causes between king and people, or between nation and nation. That there was any feeling in England against Louis as a foreigner is very improbable; he would be as much akin to the English nobles as the son of Henry II., who had lost Normandy; and the continual absence of the Plantagenet kings from England during their reigns — (Richard I. for instance spent only nine months of his whole reign in England)—would tend to make the people generally indifferent as to which of two such persons was their king. The opportune death of John was what saved the Plantagenet line; the young king had at least committed no crimes, had been no party to the arrangement by which John had preserved his own crown, would have no personal wrongs to avenge from those who had taken a prominent part in diminishing the royal power—and so would be acceptable

to the bulk of the English nation; while as regarded Rome, his long minority would make him the surer vassal of the Papacy, and secure the steady payment of the tribute.

Terms of John's submission.

The terms on which John was restored to his throne by Innocent III., and which formed the most important basis of the relations between England and Rome during the period I am considering, were as follows[1]:—

He resigned the whole kingdoms of England and Ireland with all their belongings to the Pope and his successors, receiving them again from the Pope and the Roman church as a feudary, binding his lawful successors in the same way to the Pope and the Roman church. A tribute of a thousand marks (700 for England, and 300 for Ireland), exclusive of the usual Peterpence, was to be paid annually in two instalments. In his oath of homage he swore to defend the patrimony of S. Peter, especially the kingdoms of England and Ireland, against all men to the best of his power. It is stated by Matthew Paris (II. 546), that Pandulf, to whom the submission was made, trampled under foot the money which the king presented as an earnest of the tribute.

Reality of the Papal power in England.

That it was no merely nominal submission on the part of John, but was made a reality by the Pope during the twenty or thirty years that followed, is clearly seen from the evidence of the Papal Letters and Bulls themselves. England was considered and treated as a fief of the See of Rome; and the greatest anxiety is evinced on the part of the Popes to prevent anything that should either disturb the arrangement thus made, or prevent the regular payment of the stipulated tribute. How this charter of submission was made to tell, what was the manner in which the Pope exercised his influence in England, will best be ascertained by a careful examination into all the acts of the Roman See which have to do with this country. I propose therefore to give in the form of annals a complete list of such acts[2], our knowledge of which is preserved in the letters and documents of the Popes or legates themselves, and in the direct or incidental notice of the annalists and historians of the time.

[1] R. Wendover, III. p. 252. Burton Annals, *Annal. Monast.* I. 222.

[2] To such of these as are mentioned in Potthast's *Regesta Pontificum* I have affixed the number under which they appear there.

A.D. 1216. *First year of Honorius III.*

Acts of the Papacy.

July 25. The Pope[1] writes to Guala, announcing his election as Pope, and bids him carry out his duties as legate in England, and stimulate the king (John) to free the Holy Land. (Potthast, 25616.)

Aug. He[2] bids the legate to make enquiries respecting the election and the elect to the See of Hereford, to which John had refused his assent. If he finds the election in all respects satisfactory, he is to induce the king to give his assent; if not, he is to provide for the church by another canonical election. (P. 25628.)

Sept. 16. He[3] writes to the Archbishop of Bourdeaux and his suffragans to bid all that owe fealty to the king of England to hasten to England to his aid, and to employ the secular arm against all who should attack him. (P. 5333.)

Sept. 21. He[4] confirms to Savary de Mauléon the lands which John had given him, formerly belonging to Geoffrey Mandeville and Reginald of Cornhill. (P. 25632.)

Sept. 28. He[5] writes to the Archbishop of Dublin, to allow him to collect into one place the monks who are scattered without discipline in different cells in his province. (P. 5335.)

Sept. 30. He[6] bids Guala play his part manfully and prudently, "Secundum diei malitiam et circumsonantium turbinem tempestatum," and to act moderately and cautiously on John's behalf. (P. 5336.)

Oct. 26. The Archbishops[7] of Rheims, Sens, and Rouen are directed to denounce as excommunicate Ingelram de Coucy for inciting Louis against John. (P. 5348.)

Guala[8] holds a council at Bristol, at which 11 Bishops of England and Wales, and other inferior prelates, besides the earls, barons, and knights there, are compelled to swear fealty

[1] Pressutti, p. 28. [2] *Id.* p. 31. [3] Bouquet, XIX. 611.
[4] Pressutti, p. 32. [5] Theiner, *Mon. Hib.* 2. No. 3.
[6] Bouquet, XIX. 612.

[7] *Id.* 613. Ingelram de Coucy was left by Louis as his viceroy in England, when he went to France for assistance just before the siege of Dover (Dunstable Annals, *Annal. Monast.* III. p. 48). The annalist calls him a noble man, but wanting discretion. We find him afterwards in alliance with Henry III. and at war with the Counts of Champagne and Flanders (Matt. Par. III. 195). His daughter married Alexander II. of Scotland.

[8] Waverley Annals. *Annal. Monast.* II. 286.

to the young king. The whole of Wales put under an interdict because it held with the barons. A.D. 1216. Acts of the Papacy.

Dec. 1. The Pope[1] endeavours to recall the English barons to their allegiance, urging that all colour is taken away from the rebellion now that John is dead, that they are bound to return to their allegiance to Henry, whose age proves him innocent, it being utterly unjust that the son should pay the penalty of the father's crime. (P. 5375.)

Dec. 3. Guala[2] is directed to watch over the young children of John, and the interests of the kingdom, and to announce that the oaths taken by the barons to Louis were unlawful, and therefore not to be kept. (P. 5378.)

Dec. 3. The Earl[3] of Pembroke (William Marshal) is exhorted to continue faithful to the king. This is also written to Savary de Mauléon, the Earls of Arundel and Warrenne, and Hubert de Burgh. (P. 25689.)

Dec. 3. The chapter[4] of York is required to restore the church of Bramham to the prior and canons of S. Oswald's, Nostell. (P. 25688.)

Dec. 6. The abbats[5] of Citeaux and Clairvaux are directed to go to Philip king of France and to exhort him to pardon the infant sons of John their father's crimes, and to restrain Louis from making war against them. (P. 5382.)

Dec. 8. The prior[6] and canons of Nostell are allowed, when the parsons of their churches die, to place in each of the said churches three or four of their brethren, one of whom is to be presented to the Bishop, to have the cure of souls.

Probably about this time was written the kind letter to the young king preserved by Matthew Paris (but placed by him under the year 1218, III. p. 34), speaking of his affection for him, exhorting him to advance in wisdom and the fear of God, and impressing on him especial reverence for the church and her ministers. Hoping that he will govern his people in peace

[1] This is given by Potthast from a mutilated copy in Raynaldi. Pressutti states that he has it entire in MS. (p. 48).

[2] This, which is also quoted by Potthast from Raynaldi, is mentioned by Pressutti (p. 51) as existing entire in his MSS. It was sent also to the Bishop of Winchester, the Archbishops of Dublin, Bourdeaux and others (Pressutti, p. 51).

[3] Pressutti, p. 51. [4] *Id.* p. 50. [5] Bouquet, XIX. 616.

[6] Nostell chartulary, quoted in Archbishop Gray's *Register* (Surt. Soc. 56) p. 4 n.

A.D. 1216. Acts of the Papacy.

and opulence, the Pope advises him to secure careful and honest friends who may faithfully advise him. (Potthast 5406, who places it between August and December.)

Dec. 23. The agreement[1] respecting Berengaria's[2] dowry is confirmed, and the Archbishop of Tours and his suffragans are directed to protect her. (P. 25718, 25719.)

A. D. 1217.

Jan. 2. The abbats[3] of Cirencester and other places are directed to enquire into certain evil and luxurious customs that have sprung up in Llanthony abbey. (P. 25721.)

Jan. 13. The prior[4] of S. Oswald's, Nostell, is forbidden to receive any one as canon or to dispose of any ecclesiastical benefices without the consent of the chapter. (P. 25740.)

Jan. 16. The Bishops[5] of London and Chichester are to cause the arrangement respecting Berengaria's dowry to be observed. (P. 25744.)

Jan. 16. A grant[6] to the prior and brethren of S. John's Jerusalem in Clerkenwell, that if any prelates refuse to admit their nominees to their undoubted benefices, they may convert the profits of the churches to their own use. (P. 25746.)

Jan. 17. The Archbishop[7] of Dublin is exhorted to excite those of the Irish who were on Henry's side to greater fidelity, and to endeavour to bring back all who had fallen away from him. (P. 5414.)

Jan. 17. The Bishops[8] of Winchester and Chichester and the legate Guala are directed to restrain all who hinder the carrying out of the will of king John. (P. 25751.)

Jan. 17. Full powers[9] are given to the legate against all ecclesiasticks adhering to Louis, and of dispensing with crusaders' vows and with oaths taken to Louis. The legate is to supply all the vacant cathedrals and abbeys with persons faithful to the king and to the see of Rome. He is even directed to give his attention to finding a fit wife for the young Henry. (P. 5417.)

Jan. 17. William[10], king of Scotland, is urged to return to

[1] Pressutti, p. 59.

[2] Berengaria's dowry was the cause of a great amount of trouble. William Marshal mentions in a letter to Henry III. that the country was in danger of an interdict if satisfaction was not given in the case (Shirley, *Royal Letters*, I. 70).

[3] Pressutti, p. 59.

[4] Pressutti, p. 64.

[5] *Id.* p. 65.

[6] *Id.*

[7] Theiner, *Mon. Hibern.* 2. No. 5.

[8] Pressutti, p. 67.

[9] Shirley, *Royal Letters*, I. 527.

[10] Bouquet, xix. 624.

his fealty to Henry and his devotion to the Apostolick See. The same is written to Llewellyn, the barons of the cinque ports, and several of the chief English nobles. (P. 5418.) A.D. 1217. Acts of the Papacy.

The Archbishop of Bourdeaux[1] is directed to protect the interests of Henry and his mother Isabella in those parts. (P. 5419.)

Jan. 19. The Bishops[2] of Chichester, Bath and Exeter are exhorted to protect the queen Isabella. (P. 25759.)

Jan. 19. William[3] Marshal is commended for his constancy to the young king, and is exhorted to persevere. The same letter is sent to several of the barons. (P. 5426.)

Jan. 20. The Pope[4] writes to Q. Isabella to condole with her on her husband's death, and takes her into his protection. (P. 25760.)

Jan. 20. The Pope[5] writes a second letter to the young king, consoling him for his father's death, hoping that he will succeed him in his devotion to the Apostolick See, and carry out his father's crusading vow. He especially exhorts him to shew himself faithful to the Roman church and obedient to the commands of Guala. (P. 5247.)

March 17. He[6] writes to the abbat (elect) of S. Augustine's, Canterbury, on the question as to whether he should be blessed by the Archbishop without the profession of obedience. (P. 25859.)

March. 19. Guala[7] is directed to enquire into the petition of the Dean and Chapter of the Church of Salisbury, that the Apostolick see would provide for the unhealthiness of the cathedral close, which is dangerous for the canons and clerks. (P. 25862.)

March 22. The Archbishop[8] and Chapter of York are ordered to induct into a vacant prebend Ermund, a clerk and relative of Alebrandini, Cardinal Deacon of S. Eustachio; otherwise he is to be inducted by the Bishop of Exeter and the legate. (P. 25872.)

April 21. Philip Augustus[9] is exhorted to recall his son from his expedition against Henry, who is described as "Christi cohæredem, pupillum et orphanum apostolicæ sedis derelictum." (P. 5528.)

April 21. The[10] prior and convent of Great Malvern and all their property are taken under the protection of S. Peter. (P. 25918.)

April 22. The[11] prior of Glastonbury and another (canons of

[1] Shirley, *Royal Letters*, I. p. 529. [2] Pressutti, p. 68.
[3] Bouquet, XIX. 625. [4] Pressutti, p. 69. [5] Bouquet, XIX. 626.
[6] Pressutti, p. 96. [7] *Id.* [8] *Id.* p. 100.
[9] Shirley, *Royal Letters*, I. 529. [10] Pressutti, p. 111. [11] *Id.* p. 112.

A.D. 1217. Acts of the Papacy.

Exeter) are ordered to induct a subdeacon, M. de Summa, into a prebend formerly held by an Italian. (P. 25924.)

April 29. The[1] Archbishop of Dublin is exhorted to take measures to bring about peace and to aid the king. (P. 5537.)

May 2. The monastery of Durham[2] is taken under the papal protection, and has various privileges granted to it. (P. 25936.)

May 4. The Churches[3] of Acle (Aycliffe), Pitindunum (Pittington), Brargkistin (Branxton), and Hedeyingham (Heighington), confirmed to the prior and convent of Durham. (P. 25942.)

May 6. Certain[4] abbats of Norwich diocese are directed to inquire into the conduct of P. Archdeacon of Lincoln. (P. 25943.)

May 12. The prior[5] and chapter of Durham are admonished not to let their church remain longer destitute of a pastor. (P. 25950.)

May 13. No[6] one is to construct a church or oratory within the limits of parishes belonging to the prior and convent of Durham without their consent.

July 1. The legate Guala[7] is directed to give diligent care for the queen of England. (P. 25990.)

July 8. The legate[8] is informed that the Pope has written to the English Bishops and Prelates to pay to the legate an aid for the wants of the kingdom. The question is also discussed as to whether the earl of Chester should be appointed as a colleague to William Marshal, now feeling the weight of his years, as the young king's governor. (P. 25996.)

July 13. Guala[9] is directed to remove the canons of Carlisle, who are regular only in name, and to put in their places those who would be faithful to Henry and the Roman Church. (P. 5578.)

Second year of Honorius III.

Aug. 9. He writes[10] to Archbishop Gray of York, begging

[1] Theiner, *Mon. Hibern.* 4. No. 7. [2] Pressutti, p. 115.

[3] *Id.* p. 116. These churches are still in the gift of the Dean and Chapter of Durham.

[4] Pressutti, p. 117. I cannot identify the Archdeacon.

[5] Pressutti, p. 118. On this vacancy see below, under Nov. 6 (p. 17).

[6] *Hist. Dunelm. Scriptores tres.* (Surt. Soc.) *Appendix* l. p. lxviii.

[7] Pressutti, p. 128.

[8] Shirley, *Royal Letters*, i. p. 532. Pressutti, p. 130, mentions this letter, but has entirely mistaken its drift.

[9] *Fœdera*, i. 147. [10] Archbishop Gray's *Register* (Surt. Soc. 56), p. 129.

him to confer a prebend on Roffrid, clerk of the Bishop of Ostia, [Hugo, Count of Anagni, afterwards P. Gregory IX.] A. D. 1217. Acts of the Papacy.

Nov. 6. He writes[1] again to Archbishop Gray, approving his conduct, which had been attacked by certain of his rivals, in the disposal of the patronage vacant by the death of Morgan, provost of Beverley, an illegitimate son of Henry II., who had been Bishop elect of Durham, but whose election had been quashed by Innocent III. at John's instance. (P. 5615.) This was not a very creditable transaction as we hear of it. Morgan was the son of Henry II., by the wife of a certain knight named Ralph Bloet; his brother John was unwilling to acknowledge the relationship. When he went to Rome to obtain Innocent's confirmation of his election, the Pope offered to confirm it, if he would call himself the son of the knight and not of the king. After taking counsel with his clerk he refused to do this, and the Pope quashed the election[2].

Of this same date (Nov. 6) there is an interesting letter[3] to the Pope in the name of the young king, probably written by William Marshal, expressing his gratitude for the assistance he had received in being raised to the throne, and excusing himself for the non-payment of the annual tribute of 1000 marks. The reasons he gives are the heavy payment he had to make to Louis by the terms of the peace, and the necessity of the payment of Berengaria's dowry[4], on which the Pope had himself insisted. There is no idea of repudiating the debt, but he asks for time, expressing at the same time his acknowledgement for the prudence with which Guala had managed matters, and also that the country is generally coming round to its allegiance.

A. D. 1218.

Jan. 13. The[5] peace between Henry III. and Louis is confirmed. (P. 5668.)

[1] Walbran, *Memorials of Fountains Abbey*, I. p. 165. Archbishop Gray's *Register*, p. 130.

[2] Robert of Graystanes, cap. I. [3] Shirley, *Royal Letters*, I. p. 6.

[4] The payment of her dowry and her general protection form the subject of several of the letters of Honorius; the payment to Louis seems to have used up all the ready money in the country. There is a letter of John issued from Devizes (*Fœdera*, I. 140), asking Berengaria to excuse the non-payment of her dowry, all his ready money having been spent on resisting the invasion of England by Louis.

[5] *Fœdera*, I. p. 149.

A.D. 1218. Acts of the Papacy.

Feb. 6. Archbishop Gray[1] is forbidden to carry his cross erect within the province of Canterbury.

Feb. 28. The Archbishop of Dublin[2] is informed that the affair of the elections to the sees of Ardfert and Killaloe has been referred to certain commissioners. (P. 5710.)

April. Berengaria is taken under the Pope's protection. (P. 5753, 5754.)

April 20. The privilege[3] granted to Savary de Mauléon by John to coin money in his own lands is confirmed. (P. 5759.)

May 15. The churches[4] of S. John's, Glastonbury, and of East Pennard, are confirmed to the prior and convent of Glastonbury. (P. 5789.)

May 17. The composition[5] between the Bishop of Bath and the convent of Glastonbury is confirmed, the union between the churches of Bath and Glastonbury being dissolved, and the monastery of Glastonbury is in future to be under its own abbat. (P. 5807.)

June 6. Simon[6] Langton is forbidden to return to England without the especial leave of the see of Rome. (P. 26022.) Langton had been deprived of his benefice and forced to go to Rome by Guala[7] for celebrating for Louis and the barons. He remained some years at Rome, as we find[8] Gregory IX. referring to him for the character of Ralph Neville, Bishop of Chichester, elect of Canterbury, when the Canterbury monks went to Rome to have his election confirmed. He had himself been elected[9] to the see of York, but the election was quashed; he was afterwards reconciled with the king, and made Archdeacon of Canterbury in 1227, just before the death of the illustrious Archbishop, his brother.

June 25. The Bishop of Ferns[10] is directed to come to terms with William Marshal, in a cause respecting certain lands heard before the Archbishop of Dublin.

A similar letter was also written to William Marshal and to the Archbishop of Dublin. (P. 5846, 5847.)

Richard Marsh[11] was made Bishop of Durham through the influence of the legate Guala. He was consecrated on July 24.

[1] Archbishop Gray's *Register*, p. 131. [2] Theiner, *Mon. Hibern.* 5. No. 11.
[3] Muratori, *Antiq. Ital.* v. 829. [4] Dugdale, *Monasticon*, I. 30, No. 21.
[5] Wilkins, *Concil.* I. 569. [6] Shirley, *Royal Letters*, I. 532.
[7] R. Wendover, IV. 32, 33. [8] *Id.* IV. 228. Matt. Par. III. 207.
[9] Dunstable Annals, *Annal. Monast.* III. 51.
[10] Theiner, *Mon. Hibern.* 6. No. 12. [11] R. Wendover, IV. 46.

Third year of Honorius III.

Aug. 30. The grant[1] made by Archbishop Gray to the prebend held by William Mauclerc (afterwards Bishop of Carlisle) at Southwell, confirmed. A.D. 1218. Acts of the Papacy.

Aug. 31. Confirmation[2] of the separation of the treasurership of York from the Archdeaconry of the East Riding by Archbishop Gray.

This was the end of Guala's legateship[3]. His power seems to have been almost without control over the affairs of the Church. Thus, besides the instances of his influence already mentioned, we find him giving directions[4] for the consecration of the Bishop of Hereford (Hugh de Mapenore), imprisoning[5] thirteen clerks at Westminster, who uttered threats against him, making[6] Hugh, abbat of Beaulieu, Bishop of Carlisle, appointing[7] William of Blois Bishop of Worcester, in defiance of the chapter, and sealing[8] thẽ confirmation of Magna Charta[9]. The letter which gives the legateship to his successor Pandulf, Bishop elect of Norwich, is dated Sept. 12 (P. 5905), but a few days before this (Sept. 5) the Pope had written to Pandulf[10] to say that he was to owe no obedience to his metropolitan before his consecration. It was no doubt an intention of the Pope that he should remain thus unconsecrated during the time he held the office of legate, in order that he might be independent of Canterbury, and so more free to look after the interests of the Roman see. Mr Shirley (*Royal Letters*, Preface to

[1] Archbishop Gray's *Register*, p. 134. [2] *Id.* pp. 133, 134 n.

[3] His last act seems to have been to write to William Marshal, complaining that Louis still kept in prison the hostages of the barons of the Cinque ports. Sept. 2. (*Fœdera* I. 152). He always retained his interest in English affairs; thus we find the Abbats of Bexley and Robertsbridge having an interview with him at Vercelli in 1224 (*Royal Letters*, I. p. 228), when he is said to be very favourable to the interests of the king of England. See also *Royal Letters*, I. p. 241. He was employed by Gregory IX. to meet Frederick II. at San Germano.

[4] Worcester Annals, *Annal. Mon.* IV. 406.

[5] Dunstable Annals, *Annal. Mon.* III. 52. [6] Waverley Annals, II. 291.

[7] Worcester Annals, IV. 410. [8] Waverley, 290. Dunstable, 150.

[9] He was occupied also about the minor secular affairs of the country. See a letter of Llewellyn (*Royal Letters*, I. 59), which mentions that a suit concerning certain manors between himself and Hugh Mortimer was heard before the legate. Guala left England about St Andrew's day, Ralph of Coggeshall, p. 186.

[10] Shirley, *Royal Letters*, I. 533.

A. D. 1218. Acts of the Papacy.

Vol. I. p. xxv) thinks that this letter was sent in consequence of Archbishop Langton's having endeavoured to counteract the legatine authority of Pandulf by appealing to the allegiance due to himself as metropolitan from the Bishop elect of Norwich. He was not consecrated till 1222 (at Rome, 29 May), and died in September 1226. He came to England at an earlier period than his appointment as legate, as we find him in June present with the young king at the great festival of the dedication of Worcester cathedral[1]. He began by pursuing a conciliatory policy, as we hear of his releasing the clerks imprisoned by Guala, and restoring benefices to certain other clerks who had been deprived by him[2].

Nov. 10. The first letter[3] of Honorius to Pandulf directs him to confirm or annul the treaty between the kings of England and Scotland. (P. 5918.)

Nov. 12. William de Bosco[4], chancellor of Alexander king of Scotland, who had been excommunicated for giving help and counsel to Alexander against the king of England, is excused from the journey to purge himself before the Pope, and restored. (P. 5919.)

Nov. 13. Pandulf[5] is directed to proceed in the case of the canons of S. Frideswide with respect to the church of Acleia, (Acle in Norfolk?) as if the order of the royal court did not exist; a proof that the Pope considered his authority to be superior to the royal authority. (P. 26027.)

Nov. 29. The Pope[6] writes to the abbat of Selby and others, citing a letter of Innocent III., and directing that the persons named in it, if they determine to carry on the suit, are to be sent to Rome. (P. 5933.)

Dec. 23. Pandulf[7] is directed to inhibit the inquisitors in the affair between the Bp. of St Andrew's and Eustace canon of St Andrew's from proceeding. (P. 5952.)

This year[8] the Pope appointed judges in a suit between the canons of S. Oswald's and the abbey of S. Peter's, Gloucester.

[1] Worcester Annals, *Annal. Mon.* IV. 409.
[2] Dunstable Annals, III. 53.
[3] Shirley, *Royal Letters*, I. 16. *Fœdera*, I. 157.
[4] Theiner, *Mon. Hibern.* 7, No. 16. [5] Shirley, *Royal Letters*, I. 533.
[6] Walbran, *Memorials of Fountains*, 172.
[7] Theiner, *Mon. Hibern.* 9. No. 21.
[8] *Cartularium S. Petri Gloucest.* (Hart.) I. pp. 25. 83.

A.D. 1219.

A.D. 1219. Acts of the Papacy.

Jan. 25. The Pope[1] sanctions the intended translation of the body of S. Thomas of Canterbury.

Jan. 26. He gives[2] an indulgence of forty days to those who assist at the translation.

Feb. 13. He[3] confirms the grant of a pension from Richard Marsh (de Marisco), Bp. of Durham, the Chancellor, to Peter Sarracenus, of £40 to him and to his heirs for ever.

Feb. 20. The abbat[4] (William of Trumpington), and monastery of S. Alban's are taken under the Pope's protection, and all their possessions and rights confirmed. (P. 5993.)

Feb. 22. The Pope[5] dispenses with the vow of the cross made by Richard Marsh, before he became Bishop, and allows him to send a number of soldiers instead.

March 27. Pandulf[6] is desired to see that the justiciary of Ireland gives a due account of his stewardship to the king. (P. 6019.)

March 29. He is[7] ordered to direct the Irish prelates that they pay their due services to the king. (P. 6026.)

April 27. Archbishop Langton[8], Bp. Alexander of Lichfield, and the abbat of Fountains, are appointed a commission to examine into the life and miracles of Hugh, Bp. of Lincoln, and to report to the Pope. (P. 6053.)

May 10. Philip[9], king of France, is thanked for prolonging the truce with England, and is exhorted to confirm it. (P. 6060.)

May 16. Pandulf[10] writes to the Bp. of Winchester and Hubert de Burgh to inform them that he had appointed Walter Mauclerc (afterwards Bp. of Carlisle) to join the Sheriffs in collecting the royal dues.

May 17. The composition[11] between Bath and Glastonbury respecting the dissolution of the churches is confirmed. (P. 6067.)

[1] *Fœdera*, I. 153. [2] *Id.* I. 154.

[3] MS. quoted by Raine, Archbishop Gray's *Register*, p. 14 n.

[4] Dugdale, *Monast.* II. 232, No. 21. See the account of this bull in the *Gesta Abbatum S. Albani*, III. p. 161 (Riley).

[5] MS. quoted by Raine, Archbishop Gray's *Register*, p. 14 n.

[6] Theiner, *Mon. Hibern.* 9. No. 23. [7] *Id.* 10. No. 24.

[8] Maurique, *Annal. Cist.* IV. 156. [9] Bouquet, XIX. 684.

[10] Shirley, *Royal Letters*, I. 27. [11] Dugdale, *Monast.* II. 269. No. 19.

A.D. 1219. Acts of the Papacy.

May 28. The brethren[1] of the Hospital of Roncevaux are released from the payment of the twentieth.

May. Cardinal Bertrand[2], legate in France, is informed that many suspect that Louis, under pretence of attacking the Albigeois, is really endeavouring to seize Poitou and Gascony, the king of England's lands. The Pope declares especially that all the king of England's rights are to be preserved uninjured, and none of his lands to be transferred to the dominion of another. (P. 6079.)

May (?). The Bp.[3] of Angoulême and others are ordered to see that the castle "de Merpiis" (Merpins in Charente, arr. Cogniac) is restored to the king of England. (P. 6080.)

July 4. Pandulf[4] writes to the Bp. Winchester and Hubert de Burgh, demanding redress for his servant Lando, guardian of a certain prebend. He sends them a transcript of the letters he had received from the king of Scots, on which he desires them to send their advice to him.

July 7. Pandulf[5] writes to the same to say that the oppressions exercised by the Jews are becoming intolerable. A particular case (that of Isaac of Norwich) is to be postponed till his arrival. He bids them also see that coadjutors are given to the Sheriffs in collecting the royal dues, and again makes mention of Walter Mauclerc for this purpose.

July 8. Confirmation[6] of the privilege granted by the Bishop and Chapter of Hereford to the abbat and convent of Reading of arranging the matters of the monastery of Leominster. (P. 6098.)

July 11. Papal[7] provision for the See of Llandaff. William of Goldclive is appointed, and the king requested to send his assent.

July 16. Pandulf[8] is ordered to settle the disputed election to the See of Ardfert; the Archbp. of Cashel is to consecrate Gilbert the Bishop elect; if it is proved that the Bishops of Waterford, Emly, and Limerick have consecrated the intruding John after

[1] MS. quoted by Raine, Archbishop Gray's *Register*, p. 9 n.

[2] Bouquet, XIX. 687.

[3] *Fœdera*, I. 156.

[4] Shirley, *Royal Letters*, I. 34.

[5] *Id.* 35.

[6] Dugdale, *Monast.* IV. 57. No. 9. MS. Univers. Lib. Cant. Dd. 9. 38. (Cat. I. 395).

[7] Haddan and Stubbs' *Concilia*, I. p. 457.

[8] Theiner, *Mon. Hibern.* 10. No. 25.

the lawful appeal, they are to be suspended and sent to Rome. (P. 6104.) A. D. 1219. Acts of the Papacy.

July 24. The king[1] writes to the Pope to complain of the misconduct of Robert who styles himself Bishop elect of Ely. This was Robert of York, who had been elected by the monks Bishop on the death of Eustace, and without consecration kept possession of the See for 5 years[2]. The election was ultimately quashed by the Pope, as was also that of Geoffrey de Burgh, Archdeacon of Norwich. John, abbat of Fountains, was then elected.

Fourth year of Honorius III.

Oct. 29. The Archbishop of Dublin[3] is directed to terminate the affair of the election to the See of Killaloe. (P. 6145.).

Nov. 9. The Bp. of Carlisle[4] and Pandulf are directed to see that the Bishop of the Isles elected by the convent of Furness and consecrated by the Archbishop of Dublin shall be enabled to take possession of the See. (P. 6152)

Nov. 10. Archbp. Langton[5], the Bp. of Ross, and Pandulf, are directed to restore the Bishop of Lismore to his See which had been seized by the Bp. of Waterford. (P. 6153.)

Dec. 7. Pandulf[6] is directed to examine into the unjust acts of the Bp. of Glasgow and report them to the Pope. (P. 6174.)

Dec. 9. The defining[7] sentence of Innocent III. is confirmed, that the Church of Lismore has always been and is a cathedral. (P. 6178.)

Dec. 24. Pandulf[8] writes to Hubert de Burgh to postpone the day appointed for Llewellyn.

A. D. 1220.

Jan. 10. Pandulf[9] writes to Hubert de Burgh, advising a secret mission for prolonging the truce with the king of France.

Jan. 16. He sends[10] [John] abbat of Fountains to the king as chosen by the Abp. of Canterbury, the Bp. of Salisbury, and himself, for the See of Ely.

[1] *Fœdera*, I. 155.
[2] Monachi Eliensis, *Historia Eliensis*. Wharton, *Anglia Sacra*, I. 634.
[3] Theiner, *Mon. Hib.* 11. No. 27. [4] *Id.* 14. No. 31.
[5] *Id.* 12. No. 28.
[6] Theiner, *Mon. Hib.* 13. No. 29. [7] *Id.* 13. No. 30.
[8] Shirley, *Royal Letters*, I. 58. [9] *Id.* I. 74. [10] *Id.*

A. D. 1220. Acts of the Papacy.

Jan. 17. He writes[1] to Hubert de Burgh urging that some one be sent at once to France about the truce, and to Poitou.

Jan. 20. He requires[2] Hubert de Burgh to be at Worcester on the day fixed by him for Llewellyn.

Jan. 24. He writes[3] to Hubert de Burgh to state that the church of Combe, which Fawkes de Breauté had asked for his clerk Walter, had been given away as soon as it was vacant by him to a son of the Count of Savoy.

Jan. 24. He exhorts[4] Hubert de Burgh not to fear any threatened disturbance in London, and states that he has no fear, whatever obloquy he may incur.

Jan. 25. He writes[5] to Hubert de Burgh on the indiscreet conduct of Philip de Ulecote in the matter of Roger Bertram.

Jan. 25. The Pope[6] writes to Ralph Neville, the Chancellor, to remove the disabilities under which he lies from his illegitimate birth (a soluto genitus de soluta). (P. 26047.)

Feb. 17. The Pope[7] writes to announce to the whole Christian world, that he has admitted Hugh, Bp. of Lincoln, into the catalogue of Saints. (P. 6195.)

March 20. A confirmatory[8] charter granted to the Hospital of Roncevaux.

April 3. Pandulf[9] writes to Hubert de Burgh to forbid the fortification of Marlborough castle.

April 26. Pandulf[10] writes to Hubert de Burgh to postpone the cause of the countess of Augy in a quarrel between William, Earl of Warrenne, and Robert Vipont.

April 30. He forbids[11] Ralph Neville, the Chancellor, to leave the exchequer.

April 30. He orders[12] Ralph Neville and Eustace de Fauconberg, the treasurer, to deposit the money they receive in the Temple (London), and forbids the seal to leave the exchequer.

May 10. He bids[13] Ralph Neville attend the exchequer, and asks for the form which Guala made use of in granting custody of castles.

[1] Shirley, *Royal Letters*, I. 75. [2] *Id.* 76. [3] *Id.* 77.
[4] *Id.* 78. [5] *Fœdera*, I. 158. [6] Shirley, *Royal Letters*, I. 534.
[7] R. Wendover, IV. 64.
[8] MS. quoted by Raine, Archbishop Gray's *Register*, p. 9 n.
[9] Shirley, *Royal Letters*, I. 100.
[10] *Id.* I. 111. [11] *Id.* 112. [12] *Id.* 113. [13] *Id.* 117.

May 12. He again orders[1] Ralph Neville to deposit the money received in the Temple, and to pay none without his order.

May 16. He orders[2] Ralph Neville, if he intends going to the translation of S. Thomas, to return quickly, and deposit the great seal in the Temple.

May 18. He again orders[3] R. Neville to pay nothing to any one from his receipts, as the king is so burdened by his debts.

May 26. He bids[4] R. Neville to remain at the exchequer and to order Nicholas the chamberlain to provision the tower of London.

May 26. The Pope[5] directs Pandulf to compel all Bishops and others who hold back royal castles and domains to surrender them, as the king is suffering from poverty. The king is spoken of as "cruce signatus, pupillus, et orphanus, sub speciali Apostolicæ sedis protectione." (P. 26057.)

May 28. Pandulf[6] is directed to allow no one, however intimate or friendly with the king, to have the custody of more than two of the king's castles at the same time. (P. 6259.)

June 5. Pandulf[7] writes to Hubert de Burgh, requiring that the sheriff of York be released from his imprisonment, this having been done in contempt of the royal authority and his own.

About this time occurred the quarrel between the Bp. of Durham, Richard Marsh, and his monks. The question[8] concerned certain of the liberties and customs of the convent. The Bishop required that the monks should display their privileges and instruments, which they, suspecting fraud on his part, refused to do; the Bishop swore then that he would seize the monks' property, and that the church of Durham should have no peace in his lifetime; the monks appealed to the Pope, and obtained a letter[9] addressed to the Bishops of Salisbury and Ely, directing them to enquire into the Bishop's conduct (P. 6265). In this the Bishop is accused of various heavy crimes. He was summoned to appear before the two Bishops, but he

[1] Shirley, *Royal Letters*, I. 118. [2] *Id.* 119. [3] *Id.* 120.
[4] *Id.* [5] *Id.* 535. [6] *Id.* 121. *Fœdera*, I. 160.
[7] Shirley, *Royal Letters*, I. 130. [8] R. Wendover, IV. 68. [9] *Id.* IV. 69.

A.D. 1220. Acts of the Papacy.

appealed to the Pope, who referred the question back to the two Bishops[1].

July 1. The master[2] and brethren of the Hospitallers' house at Paris are directed to send in aid of the approaching passage to the Holy Land part of the money deposited with them by Pandulf. (P. 6285.) There is a similar letter[3] to the treasurer of the Templars at Paris. (P. 6286.)

July 6. The Archbishop[4] of Dublin is no longer to act as legate, as peace is established in England and Ireland. (P. 6291.)

July 10. Pandulf[5] writes to Hubert de Burgh, stating that Llewellyn and the Marchers had appeared at Shrewsbury, and begging him to postpone the cause of Reginald de Brahose.

July 11. The abbat[6] of Kirksted (Lincolnshire) is directed to act in a certain cause against the abbat and convent of S. Edmundsbury, although the bulla had been accidentally detached from the requisite instrument. (P. 6300.)

July 15. Pandulf[7] complains to the Bp. of Winchester and Hubert de Burgh that Nicholas the chamberlain had been molested in his office, and requires them to prevent this.

July 17. Pandulf[8] forwards to the same a petition from the men of Nottinghamshire and Derbyshire, respecting their corn, and requiring them to attend to it.

Fifth year of Honorius III.

July 31. James[9], chaplain and penitentiary of the Pope is sent as legate to Ireland. The prelates are ordered to receive him gladly and treat him well. (P. 6316.)

Aug. 6. James[10] is ordered to declare publickly that the statute of certain Englishmen, that no Irish clerk should succeed to any ecclesiastical dignity, is of no force and vaiñ. (P. 6323.)

[1] *Id.* IV. 70. See the settlement of the questions between the Bishop and convent "Le convenit" in the *Fcodarium prioratus Dunelmensis* (Surt. Soc. Vol. LVIII.) p. 212. See also the Appendix to the *Hist. Dunelm. Scriptores tres*, p. lxx. (Surt. Soc. Vol. IX.)

[2] Bouquet, XIX. 702. [3] *Id.* [4] Theiner, 15. No. 34.

[5] Shirley, *Royal Letters*, I. 136. [6] Manrique, *Annal. Cist.* IV. 186.

[7] Shirley, *Royal Letters*, I. 137. [8] *Id.* I. 138.

[9] Theiner, 15. No. 35. [10] *Id.* 16. No. 36.

Aug. 7. He[1] is to decide the controversy between the convent of S. Andrew's in Scotland and their Bishop, certain clerks called Keledei (Culdees), and others. (P. 6324.)

Aug. 8. He[2] is to abolish certain evil customs of the English against the Irish, and to compel the English to allow the Irish to enjoy the same rights as they themselves do. (P. 6325.)

Aug. 18. Pandulf[3] is directed to pay particular attention to the affairs of the king and kingdom of England, to preserve peace by all means, and to cause the Peter pence, the annual tribute, and the twentieth to be collected and consigned to the Templars and Hospitallers at Paris. (P. 6331.)

Aug. 25. Pandulf[4] writes to Hubert de Burgh, stating he has no faith in Philip de Ulecote, and forbidding tournaments.

Sept. 25. Isabella[5] the king's mother, is ordered to cease from molesting her son; he is spoken of in the same terms as in the letter of May 26 to Pandulf. (P. 6367.)

Sept. 25. Hugh[6] de Lusignan (her husband) is ordered to restore the king's sister Joanna, and to cease from his attempts on Poitou. (P. 6368.)

Dec. 18. At[7] the request of the prior and convent of Canterbury, an indulgence is granted to all who visit the tomb of S. Thomas on the occasion of his translation. (P. 6449.)

A. D. 1221.

Jan. 25. The Pope[8] exhorts all the faithful in England to be at peace during the time of the translation of the body of S. Thomas of Canterbury. (P. 6528.)

Jan. 26. Permission[9] for the translation is given to Archbishop Langton. (P. 6529.)

Feb. 9. The Bishop[10] of Carlisle is directed to revoke all grants of churches made by rectors to their sons in their lifetime, which the abbat of Jedburgh had stated some of his predecessors had done. (P. 6562.)

[1] *Id.* No. 37. [2] *Id.* No. 38. [3] *Id.* 17. No. 40.

[4] *Fœdera*, I. 162. Philip de Ulecote was made governor of Gascony this year, but died in October.

[5] Shirley, *Royal Letters*, I. 536. [6] *Id.*

[7] Potthast gives this only from Raynaldi, 1220, § 45.

[8] Manrique, *Annal. Cist.* IV. 173. [9] *Id.*

[10] Theiner, 18. No. 44.

A. D. 1221. Acts of the Papacy.

Feb. 18. The Archbishop[1] of York (Walter Gray) is to publish the letter allowing the preferments of those who die at the Papal Court to be given away by the patrons at home.

Feb. 18. The[2] stalls at York are to be given away by no one but the Archbishop.

Feb. 26. The[3] preferments held by Italians in England on their death are to return to the actual patrons; sent to Archbp. Langton. (P. 6569.)

March 6. An ordination[4] of the Archbishop of Dublin, establishing the usual offices in his church, is confirmed. (P. 6582.)

March 19. James[5], the Irish legate, is directed to settle the suit between the king and the Archbishop of Cashel, respecting the possessions of the Church of Cashel. (P. 6594.)

April 22. A Grant[6] is confirmed of the Bishop of Lichfield to the dean and canons of Lichfield, that the income of a prebendary for the year after his death should go towards his funeral expenses. (P. 6624.)

April 28. The building[7] of the new church of Salisbury was begun; Pandulf, who was present, laid the first stone for the Pope.

April 29. The Bishop[8] of Winchester, Hubert de Burgh, Ranulph Earl of Chester, and William Brewer, are directed to cause certain wards and escheats to be restored to the king. (P. 6642.)

April 29. On the same[9] day the Archbishop of York and his suffragans are directed to secure the quiet of the realm. (P. 6643.)

This year[10] Pandulf brought about the reconciliation of the king with William, Earl of Albemarle, who had seized Bytham and Fotheringay castles; Bytham castle was besieged and recaptured by the king, and the earl was brought to him by Archbishop Gray, and pardoned on the ground of his faithful service to the king and his father.

The election[11] of Eustace of Falkenberg, Treasurer, to the see of London, was confirmed by Pandulf, and this seems to have been

[1] Archbishop Gray's *Register*, p. 137.
[2] *Id.* p. 138.
[3] Wilkins, *Concil.* I. 584.
[4] Theiner, 18. No. 45.
[5] *Id.* No. 46.
[6] Wilkins, *Concil.* I. 597.
[7] Tewkesbury Annals, *Annal. Mon.* I. 66.
[8] *Fœdera*, I. 167.
[9] *Id.* also Shirley, *Royal Letters*, I. 174.
[10] R. Wendover, IV. 67 comp. with Matt. Par. III. 61.
[11] Ralph of Coggeshall, p. 188.

his last act in England. After the second coronation of the young king, and the accomplishment of the translation of S. Thomas of Canterbury, for which enormous preparations were made, and for which we have seen the Pope writing to all in England to observe peace especially at that time, in order that the martyr's translation should be duly honoured, Archbishop Langton went in person to Rome[1], and returned the next year, having completely effected his objects. These[2] were to prevent the Archbishop of York from carrying his cross out of his own province, to arrange that the Pope should not give away a benefice in England once bestowed a second time, and that no legate should be sent to England during his lifetime. This effectually put a stop to Pandulf's influence; on his recall he went into Poitou[3], and thence to Rome[4]. A. D. 1221. Acts of the Papacy.

There is a letter from the Pope to him in the Decretals, written between 1218 and 1222, answering his question, whether a clerk holding a benefice with cure of souls could also hold the office of Archdeacon without a dispensation (P. 7788); and a letter is preserved among the royal letters, probably his, to the council, exhorting them to put a stop to the robberies at Winchester. (Shirley, I. 167.)

During this year the abbat[5] and convent of Westminster appealed to the Pope against the jurisdiction of the Bishop of London. The appeal does not however seem to have been prosecuted, as both parties submitted to the arbitration[6] of the Archbishop of Canterbury, the Bishops of Winchester and Salisbury, and the priors of Merton and Dunstable; and they freed the monastery of Westminster from all kinds of subjection and from the jurisdiction of the Bishop of London.

April 30. The Pope[7] takes the abbat and convent of S. Augustine's, Canterbury under his protection, and confirms the churches of Selling, Lenham, and Chislet, and the prebend of Guston [in S. Martin's, Dover], to their use. (P. 6646.)

May 5. The grant[8] of the Bishop of Lichfield to the Chapter

[1] Dunstable Annals, *Annal. Mon.* III. 62. [2] *Id.* 74. [3] *Id.* 75.

[4] Matt. Par. III. 66. We find him afterwards one of the Embassy sent by Henry III. on Louis's coronation as king of France to demand Normandy, Dunstable Annals, III. 81.

[5] Matt. Par. III. 67. [6] *Id.* 75.

[7] Dugdale, *Mon.* I. 137, No. 29. [8] Dugdale, *Mon.* VI. III. 1245, No. 11.

A. D. 1221. Acts of the Papacy.

of Lichfield of the churches of Arnlegh (Arley in Staffordshire ?), Cannock, and Rugeley, is confirmed. (P. 6653.)

Another letter[1] of indulgence for those who visit the shrine of S. Thomas was sent this year. (P. 6701.)

Sixth year of Honorius III.

June 21. The English[2] Cistercians have the privilege confirmed to them, which exempted them from being compelled to travel more than two days' journey from their monastery in any matter of legal trial.

Letters of privileges[3] were sent to Worcester priory, that the prior and his successors were not to be removed, "nisi causa cognita per judices a Papa delegatos." The Bishop appealed against this, and challenged the authenticity of the letters. The prior was compelled to go to Rome. The letters seem to have been false, having been forged by a "cursor." The prior was suspended by the Pope; the Bishop deposed him, and put another in his place; he appealed against this, was excommunicated for the second time, and returned to Rome. The Bishop sent Michael, Archdeacon of Gloucester, against him, but the prior died shortly afterwards. The quarrel[4] between the Bishop and the convent was made up through the intervention of Archbishop Langton and the Bishops of Bath and Lincoln and others; and a different person to either of the others was made prior.

Dec. 6. The Pope[5] writes to Archbishop Gray, forbidding the hereditary succession in livings, &c. Similar[6] letters were addressed later to the Bishops of Lincoln and Worcester.

Dec. 8. No[7] Archbishop or other prelate of Ireland, except the suffragans of Dublin or the legate, is to carry his cross or to adjudge ecclesiastical causes in the province of Dublin without the Archbishop's leave. (P. 6732.)

Dec. 18. The rector[8] and brethren of the hospital of S. John, Coventry, are taken under the papal protection, and the land of Smercote confirmed to them. (P. 6739.)

[1] Wilkins, *Concil.* I. 584.
[2] Walbran's *Memorials of Fountains*, p. 178 n.
[3] Worcester Annals, *Annal. Mon.* IV. p. 414.
[4] *Id.* 417.
[5] Archbishop Gray's *Register*, p. 140.
[6] *Id.* p. 140 n.
[7] Wilkins, *Concil*, IV. 80.
[8] Dugdale, *Mon.* VI. II. 659. No. 4.

A. D. 1222.

A. D. 1222. Acts of the Papacy.

Feb. 8. The English[1] Cistercian abbats are freed from the payment of tithes "de animalium nutrimentis." (P. 6784.)

March 30. A commission[2] is issued to the Archbishop of York and the Bishops of Carlisle and Exeter to investigate the case of Alan, constable of Scotland, who is said to be about to marry some one within the prohibited degrees. (P. 6810.)

June 8. A commission[3] is issued to the abbats of Combe and Stanley (diocese of Lichfield) and the Archdeacon of Coventry to examine into the privileges of certain monks in the diocese, which are suspected to be false.

June 23. The abbats[4] of Grace Dieu, S. Leonard de Calmis, and Rochelle, are to put a stop to the annoyances caused to the king by the knights templars in Rochelle. (P. 6864.)

June 25. All the[5] English bishops and prelates are to see that the Cistercians are kept free from the payment of tenths. (P. 6865.)

June 25. Hugh[6] de Lusignan and Isabella are admonished to surrender certain possessions unjustly withheld from the king. (P. 6866.)

July 5. William[7], Archbishop of Poitiers, is threatened with excommunication unless he satisfies the king for the injuries inflicted on him. (P. 6871.)

Seventh year of Honorius III.

A. D. 1223.

April 5. The Bishop of Ely[8] and the abbats of Fountains and Rievaulx are directed to investigate concerning the life and miracles of William, Archbishop of York, and to report to the holy see. (P. 6980.)

April 6. Privileges[9] granted to the monastery of S. Peter's, Gloucester.

April 7. The Pope[10] writes to the Bishop of Carlisle, that no

[1] Manrique, *Annal. Cist.* iv. 228. See also the *Meaux Chronicle* (Bond), i. pp. 382, 433.

[2] Theiner, 20. No. 48.

[3] Archbishop Gray's *Register*, p. 152 n.

[4] *Fœdera*, i. 169.

[5] Dugdale, *Mon.* v. 536. No. 15.

[6] *Fœdera*, i. 169.

[7] *Id.*

[8] Walbran, *Memorials of Fountains*, p. 173.

[9] *Cartularium S. Petri Gloucestriæ* (Hart.), iii. 17.

[10] Shirley, *Royal Letters*, i. 537.

A. D. 1223. Acts of the Papacy.

sons of clergymen whatever are to hold their fathers' preferments. (P. 26096.)

April 10. Commission[1] to the prior of Llanthony, the Archdeacon of Gloucester, and the official of Worcester, to adjudicate in a suit respecting the church of Prestewike (?), which belonged to the church of Langley, [Worcester.]

April 13. The Pope[2] writes to the elect of Chichester (Ralph Neville, the Chancellor) declaring the king to be of age.

April 18. Philip[3] Augustus is ordered to make peace or a longer truce with England. (P. 6997.)

April 27. The Pope[4] writes to the king that the emperor has come to him in Campania to treat with him concerning the crusade; and exhorts the king to join the emperor in his attempt to free the holy land. (P. 7003.)

April 27. He[5] requests the king that he will exempt the crusaders from the payment of tolls. (P. 7004.)

May 23. Reginald[6], king of the Isles, who through Pandulf's exhortation had given the Isle of Man to the Roman Church, and received it as a fee from the church, is taken under the papal protection. (P. 7027.)

Eighth year of Honorius III.

Oct. 5. The Archbishop of York[7] and his suffragans are directed to publish through their dioceses the sentence of excommunication against Llewellyn, and to place an interdict on his lands. (P. 7083.)

Oct. 5. The English[8] Bishops and Prelates are directed to see that the wrongs of the Templars are redressed.

Nov. 20. The papal letters[9] concerning the surrender of the royal castles are not to be acted upon against the king's will, who is to use his own judgment as to putting them in force. (P. 26104.)

Dec. 13. Louis VIII.[10], whose actions against the Albigeois are applauded, is again exhorted to make peace with England. (P. 7118.)

[1] *Cartularium S. Petri Gloucestriæ*, II. 171.

[2] Shirley, *Royal Letters*, I. 430. [3] *Id.* 538. [4] *Fœdera*, I. 172.

[5] *Id.* 173. [6] Theiner, 21. No. 51.

[7] Shirley, *Royal Letters*, I. 212. Llewellyn was excommunicated because he disturbed the kingdom against the protection of the lord Pope. Dunstable Annals, 83.

[8] Shirley, *Royal Letters*, I. 211. [9] *Id.* 539. [10] *Id.*

The declaration[1] of the Pope that the king was of age, so as to be able to direct the affairs of the kingdom with the aid of his servants, which ordered all who had the guardianship of castles or towns belonging to the king's demesne to surrender them at once, produced a conspiracy from several of the barons, who refused to surrender their possessions, preferring "potius arma movere quam regi satisfacere de præmissis." The chief malcontent was Ranulf Blundevil, Earl of Chester. Hubert de Burgh came in for a large share of the king's unpopularity, as he was supposed to be at the bottom of the whole matter. There are two letters (*Fœdera*, I. 171) written by the king on Dec. 19 to the Pope and to the late legate, Cardinal Guala, speaking of the condition of the country, and begging them to urge the barons to peace and obedience: and Hubert de Burgh wrote at the same time to the Pope (*Fœdera*, ib.), requesting him not to allow certain mischief-makers, now in Rome, to return to England. A.D. 1223. Acts of the Papacy.

A.D. 1224.

But at Northampton[2], where the king kept Christmas, he found himself strong enough to insist on his rights. And Archbishop Langton sent a message to Leicester, where the rebellious barons were collected, telling them the Pope's commands, and threatening them with excommunication by name, unless all the castles and honours belonging to the king were at once surrendered. They found themselves too weak to resist, and in especial fear of the excommunication they gave way, and beginning with the Earl of Chester, surrendered their castles. It is curious to find among them, besides the Earl of Albemarle, who had been so recently reconciled with the king by Pandulf's influence, and John de Lacy, Constable of Chester, Fawkes de Breauté and Philip Marc and Ingelard de Athie, who have so remarkable a notice in Magna Charta[3].

Jan. 8. The Bishop of Winchester, Peter des Roches, was no doubt the real instigator of this rebellion, and he had interest enough at Rome to obtain a papal letter[4] to be written to the king, in which the Pope remonstrates strongly with the king's treatment of one who had been so faithful to his father and himself, and who was about to start for the Holy Land[5].

[1] R. Wendover, IV. 88, Dunstable Annals, 83. [2] R. Wendover, IV. 92.

[3] See my remarks in the Preface to the second volume of Matthew Paris, p. xxxv. [4] Shirley, *Royal Letters*, I. p. 218.

[5] The king's answer to this letter, of which the original is lost, is printed

A. D. 1224. Acts of the Papacy.

Feb. 20. Louis[1] is again urged to make peace with England, that there may be no hindrance on this score to the crusade. (P. 7169.)

March 14. The Pope[2] writes to Henry, speaking of the general good character he hears of his behaviour, but exhorting him to be more forbearing towards his subjects. Quoting Persius (v. 52) as to the different characters of men, he advises him to shew himself favourable and kind to all, and not to give offence by requiring the restoration of his rents, &c., recommending him even to ignore injuries done to him, so as to avoid offence. He speaks of the pains the Roman Court had taken to bring about tranquillity in England, and calls the king "ecclesiæ Romanæ specialissimum filium." (P. 7193 *a*.)

April 4. Louis[3] is again exhorted to renew the truce with England. (P. 7214.)

April 11. The Bishop[4] of Ely and the abbats of Fountains and Rievaulx are desired to send further details respecting Archbishop William of York, before he can be canonized. Similar letters were sent to the Archbishop of York and the Dean and Chapter. (P. 7223.)

April 14. Alexander[5] Stavensby was consecrated Bishop of Lichfield at Rome by the Pope. He had been at the Papal Court in order to further the marriage of the king with the daughter of the Count of Britanny. See the letter in the *Fœdera*, I. 174.

April 26. The Pope[6] declares to the Irish clergy that the statute which excludes Irishmen from ecclesiastical dignities is null and void. (P. 7227.)

April 30. The Archbishop[7] of Dublin is to proceed in the suit between the monastery of S. Thomas, Dublin, and Nicholas de Felda, respecting certain lands. (P. 7230.)

May 15. The Archbishop of York[8] is allowed, if he sees fit, to permit Nicholas, Bishop of Man and the Isles, to resign his see.

June 20. The Bishop of Cork[9], who has been elected Arch-

in Prynne's *Records* (III. 58), and reprinted by Mr Shirley, *Royal Letters*, I. 224.

[1] Bouquet, XIX. 746.
[2] Shirley, *Royal Letters*, I. 540.
[3] Huillard-Bréholles, *Hist. Dipl. Fred. II.* II. 429.
[4] Walbran, *Memorials of Fountains*, pp. 174, 175.
[5] Waverley Annals, II. 299.
[6] Shirley, *Royal Letters*, I. 541.
[7] Theiner, 22. No. 53.
[8] Archbishop Gray's *Register*, p. 149.
[9] Theiner, 23. No. 56.

bishop of Cashel, is directed to go to the king for his assent, and then to the Pope to receive the pall. (P. 7272.) A. D. 1224. Acts of the Papacy.

The Archbishop of Canterbury and the king were also written to, to accept the Archbishop of Cashel.

Ninth year of Honorius III.

Aug. 2. The Bishops[1] of Saintes and Limoges and the Dean of Bourdeaux are ordered to excommunicate Hugh de Lusignan, unless he restores Henry's sister Joanna and her dowry. (P. 7293.)

Aug. 3. The Pope[2] writes strongly to Louis to abstain himself, and to compel his subjects to abstain, from making war on the territories of the king of England. (P. 7294.)

Aug. 3. He writes[3] to Henry to inform him he has done this, at the same time exhorting him by all means to be reconciled to Louis. (P. 7295.)

Dec. 15. The prior[4] of Kirkham and others are to cite the two parties to a suit respecting the thraves of corn claimed by the Hospital of S. Peter of York, to appear before the Apostolick see for its decision. (P. 7331.)

Anxious as the Pope was for the peace of the country, he made a great mistake in his endeavours in favour of Fawkes de Breauté. This infamous man's crimes came to a head this year, in his seizing the judge, Henry de Braibroc, at Dunstable, who had heavily fined him, and carrying him off to his castle at Bedford[5]. The king, in company with the Archbishop of Canterbury, at once laid siege to the castle, and after a lengthened siege, of which a very vivid account is preserved in the Dunstable Annals, took it.

Aug. 17. While the siege was going on, the Pope[6] wrote to the king himself, expressing his displeasure, and to the Archbishop to desire him to induce the king to desist from the attack, and to recall his excommunication. (P. 26120, 26121.) The answer[7] which was sent by the king, gives an account of the

[1] Bouquet, XIX. 757.
[2] Shirley, *Royal Letters*, I. p. 541.
[3] Bouquet, XIX. 759.
[4] Walbran, *Memorials of Fountains*, p. 176.
[5] Dunstable Annals, III. 90.
[6] Shirley, *Royal Letters*, I. pp. 543, 544. See also the curious letter (*Royal Letters*, I. p. 240) from G. de Craucumb and Stephen Lucy, who mention that the Pope and Cardinals were in despair about the condition of things in England. This was written 22 Dec. 1224.
[7] *Id.* 224.

A.D. 1224. Acts of the Papacy.

iniquities of Fawkes, and shews that no other conduct on the king's part in this matter was possible; he states he had been forced to give up his affairs[1] in Ireland and Poitou till he had taken Bedford castle and released the imprisoned judge. There is a letter[2] to the king from one of the Pope's own chaplains, Cardinal Egidius, who evidently guarded Henry's interests at the Papal Court, exhorting him to be firm in this very matter of Fawkes de Breauté.

This year the king married his sister Alienora to the Earl Marshal, and felt it necessary that his proctors[3] at Rome should be fully instructed as to his reasons.

A.D. 1225.

Jan. 23. The treatise[4] of John Scotus Erigena, styled Perifisis (*i.e.* περὶ φύσεως μερίσματος), the Dialogue de divisione Naturæ, is to be burnt whenever it or any part of it can be found. (P. 7348.)

Jan. 28. The English[5] Bishops and prelates are ordered to reserve a prebend in each of the cathedral or prebendal churches for the use of the Apostolick see. (P. 7350.)

Feb. 3. The English[6] Bishops and prelates are to give an aid to the king according to the means of their churches. (P. 7353.)

Feb. 3. The Archbishop[7] of Canterbury is empowered to make orders as to the administration of oaths in Lent and Advent, that the course of justice may not be delayed. (P. 26128.)

Feb. 25. The ex-Bishop[8] of Ardfert, who had resigned his see into the Pope's hands, is allowed to act as a Bishop, with the consent of the diocesans. (P. 7369.)

Feb. 27. Romanus[9], legate in France, is directed to induce Louis to act so that Henry's rights may be preserved, so that the king may rejoice that he has found the due and expected protection in the Apostolick see. (P. 7372.)

March 13. Peter[10], abbat of Tewkesbury, goes to Rome, and is absolved from the false accusations of the Bishop of Worcester.

[1] See Wendover, IV. 94.

[2] Shirley, *Royal Letters*, I. 243.

[3] *Id.* 244.

[4] *Alberic. Chron.* (Leibnitz II.) 514. See Fabricius, *Bibl. med. et infim. Latin.* IV. p. 138.

[5] Wilkins, I. 558.

[6] *Id.* I. 603.

[7] Shirley, *Royal Letters*, I. 545.

[8] Theiner, 23. No. 57.

[9] Bouquet, XIX. 767.

[10] Tewkesbury Annals, I. p. 68.

May 15. The cell[1] of Kilburn is confirmed to the abbat and convent of Westminster. (P. 7409.) A. D. 1225. Acts of the Papacy.

June 4. Romanus[2], legate in France, is to take care that until Fawkes de Breauté is reconciled with the king of England, Louis allows him to dwell freely in France. (P. 7423.)

July 15. The grant[3] of Savary, Bishop of Bath, of the church of S. John, Glastonbury, to the abbat and convent of Glastonbury, for the purposes of the fabrick of the monastery, is confirmed. (P. 7442.)

Tenth year of Honorius III.

Sept. 18. The abbat[4] and convent of Glastonbury are excused from paying pensions to those who have had the offer of a fitting benefice and refuse it. (P. 7479.)

Dec. 11. The faithful[5] in the diocese of Rouen are informed that Laurence, Archbishop of Dublin, whose body lies in the church of S. Mary, Eu, is enrolled in the catalogue of saints. (P. 7505.)

Louis VIII.[6] is reproached for his disobedience in not prolonging the truce with England, and is exhorted to restore the lands of Henry III. which he had invaded, in spite of so many prayers of the Apostolick see. (P. 7510.)

This year[7] the Pope sent Otho, his chaplain, as nuncio into England. A considerable amount of anxiety seems to have been felt about his mission. He seems really to have been sent into England to look after the Papal interests generally; but if we may judge from a letter[8] from the king's proctors at Rome to Henry III., the ostensible object of his mission was to intercede for Fawkes de Breauté. They saw the French legate Romanus, at S. Omer, on this question; he expressed his willingness to detain Otho in France if possible; but if that could not be done, he recommends them to receive him honourably, to hear all he has to say, but to put off his arrival in England by delays, till they could have the Pope's directions; and to take care that while he was in England the abettors of Fawkes should have no access to him. Mission of Otho.

In a second letter[9] they express the difficulty in which they

[1] Dugdale, *Man.* III. 427. No. 7.
[2] Bouquet, XIX. 767.
[3] Dugdale, *Man.* I. 29. No. 19.
[4] *Id.* I. 38 n. 47.
[5] Wilkins, I. 619.
[6] Bouquet, XIX. 761.
[7] R. Wendover, IV. 107.
[8] Shirley, *Royal Letters*, I. 264.
[9] *Id.* I. 269.

A. D. 1225. Acts of the Papacy.

were till they knew with what powers Otho was to be furnished. Otho himself writes[1] to them, that he is surprised that the king should be angry or excited at his coming, as that it is neither his intention nor that of the Roman Court to do anything but what will be for the advantage of the kingdom. It is important to remember that Otho was to come as a nuncio[2] only, as Archbishop Langton had obtained the promise that no legate should be sent in his lifetime. When Otho came in 1237, long after Archbishop Langton's death, with full legatine powers, his reception was a very different one. On his arrival[3] now and presenting his letters to the king, the king said that he alone could not attempt to decide on matters which touched all the clerks and laymen of the country. And by the advice of Archbishop Langton, a day was fixed for a Parliament at Westminster to hear and discuss his message. Before this, however, he began on the Pope's behalf to supplicate the king for Fawkes. The king was entreated to be reconciled with him, to restore his wife, lands, and possessions, in memory of the faithful service he had done to the king and his father. Henry answered in a dignified strain, that Fawkes had been banished by the judgment of his court for evident treason by the whole body of clergy and people, and that though the care of the kingdom was especially the king's business, he was bound to observe the laws and good counsels of the kingdom. On this Otho gave him up. His subsequent history was sad enough[4]. He was conducted to the sea by William, Earl of Warrenne, and sent his last message with tears to the king, that all the trouble in the country of which he was the cause had been due to the urging of the English nobles. Soon after landing in Normandy he was seized by some of Louis's servants, and narrowly escaped[5] hanging for the injuries he had done to the French in England. His having taken the Cross, and the fact that he was banished for life from England, saved him, and he went to Rome, and was presented to the Pope in company with his clerk, Robert Passelew. (This is the man who was afterwards presented to S. Peter's,

[1] Shirley, *Royal Letters*, I. 270.

[2] A legate from the Pope came with the fullest powers,—to act as if he were the Pope himself, and therefore superseding the usual ecclesiastical jurisdiction of the country: a nuncio was sent with a specifick object and had no especial jurisdiction or powers. Several modern writers have incorrectly styled Otho *on this occasion* legate, which he was not till 1237.

[3] R. Wendover, IV. 107. [4] *Id.* 103. 137. [5] Matt. Par. III. 94.

Northampton, but rejected by Bishop Grosseteste because he was a forest judge. Grosseteste's Letters, pp. 349, 353.) Fawkes obtained letters from the Pope in his favour, not however without the expenditure of large sums of money, spent a year at Troyes, went again to Rome, where he obtained fresh letters of recommendation to England, and on his way to England was poisoned at S. Ciriac[1]. The S. Alban's[2] historians have no hesitation in exulting over his death, as he had been a cruel spoiler of the abbey, and once threatened to burn it. One of the many extraordinary charges against Hubert de Burgh on his fall, was of being the instigator of the murder. Utterly bad as the man was, his career affords a good example of how far in advance this century was of the preceding, and how much greater power the church had to bring such wickedness to justice, and to keep such lawlessness as he displayed under control. Under the state of things a hundred years before, he might have repeated the conduct of Robert de Belesme; but a Robert de Belesme was an impossibility in the thirteenth century, hard and ruthless as in many respects the age was.

A. D. 1225. Acts of the Papacy.

A. D. 1226.

The parliament[3] met at Westminster on the day appointed, Jan. 13, to consider the message brought by Otho, in the absence of the king, who, after spending Christmas at Winchester, had gone to Marlborough, and there was prostrated by severe illness. Then what was the true object of Otho's mission was declared. The message of the Pope is so curious that it requires to be given at length. In the letters which Otho brought, the Pope spoke of the old scandal and disgrace of the Roman Church, namely, the stigma of avarice, which is the root of all evils, especially in this, that no one can do anything in the Roman Curia[4] without lavish expenditure of money and gifts. "But since the Roman poverty is the cause of this scandal and infamy, all ought, as natural children, to relieve the wants of their mother. Unless we receive gifts from you and other good and honest men, the necessaries of life would be wanting to us, a thing altogether unfitting the Roman dignity. Accordingly, for the entire rooting

[1] Dunstable Annals, III. 89. [2] Matt. Par. III. 120, 121.

[3] R. Wendover, IV. 114. Matt. Par. III. 102.

[4] This "curia" is an alteration by Paris of "ecclesia" in Wendover, a very remarkable alteration, and characteristick of Paris.

A. D. 1226. Acts of the Papacy.

out of this scandal, by the advice of our brethren, the Cardinals of the holy Roman Church, we have provided a certain form, to which if you are willing to consent, you can free your mother from scandal, and obtain justice in the Roman court without the need of gifts"—a singular confession of what was necessary at Rome to obtain justice. The form demanded was, a grant of two prebends from every cathedral, one from the Bishop's portion, and one from that of the Chapter, and the same from the conventual establishments. Otho used his best arguments to obtain the consent of the prelates to this monstrous demand. After some private discussion they put their answer into the mouth of the Archdeacon of Bedford. He stated that this demand concerned the king, the archbishops and their suffragans, as well as many of the beneficed clergy (prælati), to say nothing of all the patrons of the churches of the realm; that as the king was absent from illness, and also the archbishops and many of the prelates, they could give no answer in their absence. Otho attempted to fix another day, when he could procure the presence of the king and the missing prelates. But they refused to allow this to be done without the assent of the king and the others who were absent.

In the meantime the French legate, Romanus[1], held a council at Bourges, and made a similar demand on the same grounds. Wendover has preserved the curious reasonings against the proposal by the Archbishop of Lyons and other prelates, the conclusion being a very formidable threat. They appealed to the legate that zeal for the whole church and the holy Roman see might move him, since "si omnium esset universalis oppressio, posset timeri ne immineat generalis discessio, quod Deus avertat." The legate on this stated that the demand had been decided on after he had left the curia; that he would never have consented to it, and that he believed that it was only made on the understanding that the empire and other kingdoms would consent. And he promised he would make no further attempt to bring it about, till the prelates of other kingdoms should agree to it, which he did not expect would be the case.

The effect of this was soon felt in England. While Otho[2] was going northward, the Archbishop procured letters from Rome recalling him. He angrily looked at them, then threw them into the fire. But his mission was at an end. He quitted England at

[1] R. Wendover, IV. 118. [2] *Id.* 123.

once, leaving it to the Archbishop to summon the king and prelates, and send the Pope an answer to his demand. In the absence of Otho, when the letters were read at the parliament summoned by the Archbishop at Westminster, there was a general laugh at the avarice of the Romans (singuli singulos ad risum movebant super concupiscentia Romanorum), and the king gave his answer to the Archbishop: "What the Pope asks of us concerns the whole Christian world. When we, who live as it were at the ends of the earth, see how other nations bear themselves towards such exactions, the Pope will find us more ready in our obedience, when we have an example from other kingdoms."

Otho had endeavoured[1] to provide for himself on his first coming into England. Under the title of procurations he had exacted two silver marks from all the conventual churches of England, and he[2] was on his way to Northumberland after these procurations when the letters of recall reached him at Northampton. But the chronicler says that he left England "clitellis vacuis." It is added[3] that at this time the Pope sent nuncios through the whole world, making undue exactions everywhere.

Jan. 8. The Pope[4] writes to Hugh of Lusignan and many others, censuring them for breaking faith with Henry III. (P. 7515.)

Jan. 28. Archbishop Gray[5] is allowed to grant dispensations to a certain number of persons to hold additional livings.

Jan. 29. The clergy[6] of Ireland are exhorted to tax themselves in order to support the king's expenses. (P. 7523.) The king quotes this letter in writing to the Archbishop of Dublin and his suffragans, and promises that if the Irish clergy will grant him an aid, it shall not prejudice their liberties. (Shirley, *Royal Letters*, I. 299, 300.)

Feb. 20. The prior[7] of Holy Trinity, London, is exempted from serving on Papal commissions. (P. 7535.)

Romanus[8] is again directed to induce Louis and others, while attacking the Albigeois, to abstain from the dominions of the king of England. (P. 7542.)

March 6. Archbishop Gray[9] is allowed to visit the abbey of S. Mary, York, a second time in the year if he sees fit.

[1] R. Wendover, IV. 108. [2] *Id.* IV. 123. [3] *Id.* 108.
[4] Bouquet, XIX. 769. *Fœdera*, I. 181. [5] Abp. Gray's *Register*, 151.
[6] *Fœdera*, I. 181. See also Theiner, 25, No. 60.
[7] *Id.* I. 184. [8] Bouquet, XIX. 771. [9] Archbishop Gray's *Register*, 152.

A. D. 1226. Acts of the Papacy.

March 7. The house[1] of S. John, outside Blythe, is taken under the papal protection, and its liberties confirmed. (P. 7544.)

March 10. The[2] Church of Kirkby Ouseburne is annexed to the precentorship of York.

March 13. The[3] Church of Acklam is annexed to the chancellorship of York.

March 18. The clergy[4] of England are informed that William, Archbishop of York, has been enrolled in the catalogue of saints. (P. 7551.)

April 8. The Pope[5] writes to Archbishop Gray about Peter de Wivertorp, who had been turned out of his living in consequence of the directions against the hereditary succession to livings.

April 9. The abbey[6] of S. Augustine's, Canterbury, is allowed to build chapels in its own parishes, and to place its own chaplains there. (P. 7559.)

April 27. The king[7] is forbidden to assist Raymond of Toulouse, or to make war either by himself, his brother, or others, on Louis, while he is engaged in his war against the Albigeois. (P. 7561.) This was in consequence of Louis's refusal to undertake the expedition unless he first obtained inhibitory letters to the king of England[8], to prevent him from making any attack on his possessions, whether justly or unjustly obtained, while he was carrying out the Pope's commands against Raymond. Henry[9], who was on the point of invading France, read the Pope's letter to his counsellors, and postponed his intention. Richard of Cornwall was at that time in Gascony, and the king was especially forbidden to allow him to proceed against Louis during his crusade.

May 7. The king[10] is directed to assist the Archbishop of Cashel and the Bishops of Limerick and Cloyne to expel Robert Travers from the church of Killaloe. (P. 7566.)

May 9. There[11] is a letter on the subject also to the Bishops. (P. 7567.)

May 14. The Archbishop[12] of Dublin is ordered to admonish

[1] Dugdale, *Mon.* IV. 624, No. 7.
[2] Archbishop Gray's *Register*, 141 n.
[3] *Id.* 144 n.
[4] *Bullar. Rom.* III. 418. No. 80.
[5] Archbishop Gray's *Register*, 153.
[6] Dugdale, *Mon.* I. 131. No. 10.
[7] Shirley, *Royal Letters*, I. 545.
[8] R. Wendover, IV. 125.
[9] *Id.* 126.
[10] Theiner, 25. No. 61.
[11] *Id.* No. 62.
[12] Theiner, 26. No. 63.

the unlawful holders of certain of the king's castles in Ireland to surrender them to the king or his messengers. (P. 7572.) A. D. 1226. Acts of the Papacy.

May 15. The king[1] and his brother Richard, Count of Poitou, are exempted from sentences of excommunication without the special order of the Apostolick see. (P. 7573.)

May 15. This direction[2] is also sent to the Cardinal legate Romanus. (P. 7574.)

May 22. Louis[3], who had forbidden the Archbishop of Bourdeaux to enter his lands in consequence of his quarrel with Henry and Richard, is directed to recall his prohibition, and to allow him free entrance and leave to stay in the country. (P. 7577.)

May 30. The abbat[4] of Begham (Bayham in Sussex) is exempted from serving on Papal commissions. (P. 7579.)

June 9. The Pope[5] allows Lawrence of S. Nicholas, canon of York, to hold Tockerington in Northumberland in addition to his prebend, besides his other benefices.

June 17. Richard[6], count of Poitou, is assured that the Pope will provide for the welfare and honour of him and the king. (P. 7588.)

July 11. Archbishop[7] Langton is desired to see that the Pope's letters, in favour of the wife of Fawkes de Breauté, are carried into effect. (P. 26160.) The Pope uses very strong language to the Archbishop for taking part with those who detained Fawkes's wife from him. He evidently was ignorant of the circumstances, as she, a Fitzgerold and widow of Baldwin, fifth earl of Albemarle, had been married against her will to Fawkes. Paris[8] says that John gave her to him as a reward for the cruel way in which he carried out his orders in Wales in 1213. On his fall, she sued for a divorce[9]. The Archbishop appointed a day for her case to be considered, and finally her lands and possessions were given her by the king, and she was put under the protection of the Earl of Warrenne.

Eleventh year of Honorius III.

Sept. 27. The Pope[10] orders Archbishop Gray to give a

[1] *Fœdera*, I. 185.
[2] *Id.*
[3] Bouquet, XIX. 774.
[4] *Fœdera*, I. 185.
[5] Archbishop Gray's *Register*, p. 155 n.
[6] Bouquet, XIX. 774.
[7] Shirley, *Royal Letters*, I. 547.
[8] Matt. Par. II. 538.
[9] R. Wendover, IV. 98. Matt. Par. III. 87.
[10] Archbishop Gray's *Register*, pp. 11, 12.

A. D. 1226. Acts of the Papacy.

vacant prebend in York to Nicholas, nephew of the Bishop of Ostia.

Dec. 15. The Pope[1] writes to Archbishop Gray in favour of Lawrence of S. Nicholas, canon of York. He wrote also to the Dean and Chapter.

Dec. 20. The daily[2] distributions for clerks studying theology at York are not to be given to such clerks as are absent.

Dec. 22. The Bishop[3] of Lincoln and Archbishop of York are told that, if after the departure of Lawrence of S. Nicholas from England any of his rents or property are withheld, the Pope will force the withholders to pay the loss.

Dec. 22. The abbats[4] of Fountains and Rievaulx are desired to inquire into the state of, and to do what they can for, certain impoverished nunneries in the diocese of York. (P. 7635.)

Dec. 22. Archbishop Gray[5] is ordered to proceed within two months with the examination into the election of the Archdeacon of Worcester, whom the prior and convent of Durham had elected to the see of Durham.

As this election to the see of Durham affords a remarkable instance of the Papal power in the elections to Bishopricks, I shall give some account of it. Richard Marsh died suddenly at Peterborough on May 1, the monastick chroniclers thinking his death in this way a punishment for his treatment of monks[6]: the prior[7] and convent requested the king for leave to elect, and he offered his chaplain Luke. They said they could receive no one excepting after a canonical election. The king swore they should be seven years without a bishop if they would not admit Luke. The convent, thinking him unfit for the post, unanimously elected the Archdeacon of Worcester, William, a learned and honourable man, and presented him to the king. The king refused him on certain trifling objections, and the monks sent some of their body to Rome to have their election confirmed. The king sent the Bishop of Chester (Alexander Stavensby, who having been consecrated by Pope Honorius, would be likely to have some influence with him) and the prior of Llanthony against them. And thus, as Wendover remarks, a long delay was caused. The sequel of

[1] Archbishop Gray's *Register*, 154. [2] *Id.* 154 n.
[3] *Id.* 155 n. [4] Walbran, *Memorials of Fountains*, 175.
[5] Archbishop Gray's *Register*, 156.
[6] Matt. Par. III. 111. [7] R. Wendover, IV. 128.

the story is told us by Robert of Greystanes[1]. The Pope (Gregory IX.) quashed the election on what would seem merely technical grounds, objecting to the form of the election, though it was unanimous, because each gave his vote separately, so that it was neither "per scrutinium nec per compromissum nec per inspirationem." He bade the monks name several fit persons, and then he would choose from them. They then asked for Richard le Poore, Bishop of Salisbury. The Pope at first insisted that they should nominate some one besides, but on their persevering in their request, he gave way, and the Bishop was translated to Durham; the Pope himself wrote to the Bishop, and he was at once accepted by the king. A. D. 1226. Acts of the Papacy.

This year[2] the Pope allowed the clergy to grant a sixteenth of church property to the king.

A. D. 1227.

Jan. 13. The Bishop of Winchester[3], Peter des Roches, in common with other Bishops, is urged to help the crusade by all the means in his power. (P. 7648.)

Jan. 19. The Archbishop of York[4] is desired to give a prebend to Alexander Nolan, though the first vacant prebend[5] is to be given to Nicholas, nephew of the Bishop of Ostia.

Jan. 23. The Archdeacon[6] of Durham is to take care that no harm be done to the property of Alexander Nolan whilst he is at the Papal court.

Feb. 3. Archbishop Gray[7] is allowed to have the four dignitaries of York minster (*i.e.* the dean, precentor, chancellor, and treasurer) in occasional attendance upon him.

Feb. 11. Privileges[8] granted to Archbishop Gray as to the punishment of offending clerks.

Feb. 25. The monks[9] of S. Mary's, York, are threatened with punishment for opposing the Archbishop's visitation.

March 4. Archbishop Gray[10] is urged to expedite the election to the see of Durham, which is burdened with debt.

[1] Cap. III. *Hist. Dunelm. Script. tres* (Surt. Soc.), p. 36. He gives a very curious and minute account of the election by the chapter.

[2] Osney Annals. *Annal. Mon.* IV. 68. Wykes. *ib.* 67.

[3] Wilkins, *Concil.* I. 559.

[4] Archbishop Gray's *Register*, 76 n.

[5] This was done in September: see Archbishop Gray's *Register*, p. 12.

[6] *Id.* Alexander Nolan was rector of Gainford.

[7] Archbishop Gray's *Register*, 157.

[8] *Id.* 159 n.

[9] *Id.* 152 n.

[10] *Id.* 153 n.

A. D. 1227. Acts of the Papacy.

The following letters are without date, and may have been written at any period of the pontificate of Honorius.

The abbey[1] of Holmcoltram has its liberties confirmed. (P. 7690.)

The Bishop of Worcester[2] (probably William of Blois) is directed to compel all vicars to reside on their benefices, and to be ordained priests. (P. 7725.)

A letter[3] to the Archbishop of Canterbury on the affair of one Jordan, a clerk, decides a point in the question of appeals. (P. 7727.)

The Archdeacon[4] of Salisbury is allowed to proceed in a suit respecting certain tithes, although an indulgence in the matter has been obtained from the Apostolick see. (P. 7752.)

Alan[5] de Wassand, rector of Heversham, is allowed to hold Middleton as well.

The judges[6] in a certain suit between the abbey of Chertsey and the rector of the church of Bertucia (Burwash in Sussex) having decided against him, and he having appealed, the fruits of the church are to be sequestrated till the cause is decided. (P. 7754.)

Directions[7] to the dean, chancellor, and precentor of Lincoln, in a suit between two monasteries (Croxton and Newhouse) respecting the church of Hechemale (?) (P. 7772.)

Honorius died on March 18, and was succeeded by the Bishop of Ostia, then upwards of eighty years of age, who took the name of Gregory IX. The key to his policy, both as regards England and the rest of Europe, is his quarrel with the empire; but the details of the relations between him and England will best be ascertained by his letters.

First year of Gregory IX.

April 7. Mandate[8] to remove Nicholas, a clerk of York diocese, from the church of Leek, into which he had been intruded.

April 13. The king[9], though a minor, is to be permitted to administer his own realm.

[1] Dugdale, *Mon.* v. 602. No. 31.
[2] *Decr. Greg. IX.* I. 28. 6.
[3] *Id.* I. 3. 29.
[4] *Decret. Honorii III.* II. 8. 2.
[5] Archbishop Gray's *Register*, p. 99.
[6] *Decr. Greg. IX.* II. 17. 2.
[7] *Id.* II. 28. 62.
[8] Archbishop Gray's *Register*, 158.
[9] *Fœdera*, I. 190.

April 24. The Bishops[1] of Kilmacduagh and Clonfert and the abbat of Parvacella (Kilmacduagh) are directed to enquire into the case of the Bishop of Limerick, who is said to be illegitimate, simoniacal, and ignorant. (P. 7884.) A. D. 1227 Acts of the Papacy.

April 28. Archbishop[2] Langton is directed to carry out an order of Honorius III., and confer a benefice in his province on Michael Scot, who is described as "qui doctus in singulis grata diversarum (*i. e.* artium) varietate nitescit." (P. 7888.)

May 19. Simon[3] Langton is permitted to return to England if this is agreeable to the king. (P. 26174.)

May 25. Louis[4] is advised to restore to Henry all the lands the kings of England possessed beyond sea. (P. 7913.)

May 27. Romanus[5], the legate, is forbidden to excommunicate Henry or his brother Richard, Count of Poitou, unless by special command of the Pope. (P. 26176.)

May 27. Henry[6] is assured that in taking Louis under his protection during his war with the Albigeois, the Pope had by no means given him permission to extend his hands towards the dominions of the king of England, whose rights he was determined to preserve entire. (P. 7920.)

July 13. A commission[7] to the Archbishop of Cashel and others to examine the case of the election to the church of Emly. (P. 7962.)

Aug. 6. The Bishop[8] and chapter of Salisbury are bidden to reserve the first vacant prebend in their church for the Pope's gift. (P. 8001.)

Sept. 27. The clergy[9] are ordered to receive the Dominican preachers kindly, and to admonish the people to listen to them devoutly. (P. 8043.)

There is a letter preserved by Bulæus (III. 123), dated Sept. 27, giving permission to the Dominicans to preach everywhere, hear confessions, and enjoin penances. (P. 8042.)

Oct. 10. The notice of the excommunication of the Emperor issued to the Italian Bishops (P. 8044); it was sent to Archbishop Langton[10] probably later.

[1] Theiner, *Mon. Hibern.* 27. No. 64.
[2] *Bulletin du comité historique*, (Par. 1850), II. 255.
[3] Shirley, *Royal Letters*, I. 548.
[4] Raynaldi, 1227, § 54, 55.
[5] Shirley, *Royal Letters*, I. 548.
[6] *Fœdera*, I. 192.
[7] Theiner, 27. No. 65.
[8] Wilkins, *Concil.* I. 560.
[9] Matt. Par. a. 1246.
[10] R. Wendover, IV. 157.

A. D. 1227. Acts of the Papacy.

Nov. 9. The yearly[1] observation of the festival of S. Edward the Confessor is ordered. (P. 8051.)

Dec. 20. A privilege[2] granted to Archbishop Gray about the punishment of offending clerks.

Dec. 23. The letter[3] of the patriarch of Jerusalem (Gerold) and other Archbishops, concerning the lamentable condition of the Holy Land, sent round; all are desired to haste to its succour, as thus the cause dear to all is at stake. (P. 8090.)

A.D. 1228.

Jan. 11. The grant[4] to John of free election to all churches, cathedrals, and abbeys in England, which Innocent III. had accepted, is confirmed. (P. 8104.)

Feb. 12. The abbat[5] of Tichfield is ordered to excommunicate those who plunder the property of the monastery of Quarr (I. of Wight). (P. 8128.)

Feb. 12. The Knights[6] Templars may be produced as witnesses in suits respecting their own order. (P. 8129.)

Feb. 22. The Archbishops[7] and bishops are to see that the privileges of the Knights Templars are not infringed. (P. 8133.)

Feb. 28. The king[8], queen, and their children are exempted from excommunication, and the royal chapel from interdict, without special order from the Apostolick see. (P. 8135.)

Feb. 28. The Bishops[9] of Norwich and Carlisle and the Archdeacon of Shrewsbury are ordered to excommunicate those who attend tournaments, as they are a mere pretence for conspiracies. (P. 8136.)

Second year of Gregory IX.

Apr. 7. The Pope[10] notifies to Henry III. the excommunication of the Emperor. (P. 8164.)

May. The legate[11] Romanus is ordered to compel the Count de la Marche to release the king and queen of France from their oath not to make peace with the king of England without his consent. (P. 26189.)

May 14. Richard[12] Bishop of Salisbury, is appointed (see

[1] *Fœdera*, I. 188.
[2] Archbishop Gray's *Register*, 159.
[3] R. Wendover, IV. 145.
[4] Wilkins, *Concil.* I. 621.
[5] *Fœdera*, I. 188.
[6] *Id.* 188.
[7] *Id.* 189.
[8] *Id.*
[9] *Id.*
[10] Huillard-Bréholles, III. 55 n.
[11] Shirley, *Royal Letters*, I. 548.
[12] *Hist. Dunelm. Script. tres*, lxix.

above, p. 45) to the see of Durham, and is exhorted to undertake the burden. (P. 8193.) A. D. 1228. Acts of the Papacy.

May 26. John[1] Romanus, canon of York (father of the Archbishop), is directed not to proceed against the Bishop of Salisbury in the matter of the bestowal of a prebend, if he had appointed to it before he had received the Papal mandate, but to take the first opportunity of carrying out the mandate when another should fall. (P. 8194.)

May 30. The Bishops[2] of Bath and Coventry and the abbat of Stanley are to make inquiry into the life and miracles of Osmund, Bishop of Salisbury, and report to the Apostolick see. (P. 8198.)

May 30. The property[3] given to the Bishop and Chapter of Salisbury for the building of the church, and their liberties and immunities are confirmed. (P. 8199.)

June 9. Privilege[4] given to Archbishop Gray respecting the punishment of offending clerks.

June 15. The monastery[5] of nuns at Wherwell is taken under the Papal protection.

July 3. Letter[6] to Archbishop Gray respecting the presentation to the church of Gainford, Durham. (P. 9655.)

On July 16 the king[7] wrote to the Pope begging him to sanction the union of the sees of Waterford and Lismore.

This month[8] the king asked permission of the Pope to remove the body of his father to Beaulieu.

Nov. 16. Archbishop Gray[9] is to remove the disabilities under which Philip, canon of Hereford, lies from his illegitimate birth.

This year[10] the abbey of Tewkesbury had its privileges confirmed.

A. D. 1229.

Jan. 3. The Pope[11] directs his chaplain Stephen to obtain some provision from one of the English prelates for a Carthusian monastery. (S. Bartholom. de Trisulto.) (P. 8311.)

The See of Canterbury had been vacant since the death of Archbishop Langton in July of the last year. The monks elected

[1] Wilkins, *Concil.* I. 563. [2] *Id.* 561. [3] *Id.* 562.
[4] Archbishop Gray's *Register*, 160. [5] Dugdale, *Mon.* II. 638. No. 5.
[6] Archbishop Gray's *Register*, 162. [7] Shirley, *Royal Letters*, I. 331.
[8] *Fœdera*, I. 192. [9] Archbishop Gray's *Register*, 43.
[10] Annals of Tewkesbury, *Annal. Mon.* I. 70.
[11] *Spicil. Liber.* (Flor. 1863), 666, No. 28.

A. D. 1229. Acts of the Papacy.

Walter of Eynesham[1], to whom the king, when applied to for his consent, objected on various grounds;—one being that his father had been hanged as a thief. The suffragans of Canterbury also objected to him on the ground of immorality, and asserted that the election ought not to have been held without their presence. The elect however would not give way, and taking some of the Canterbury monks with him, presented himself to the Pope, requesting confirmation of the election. The Pope put off decision till he could hear a full account of the matter. The king and the bishops sent their objections to the elect by the Bishops of Rochester and Chester, and John, Archdeacon of Bedford. The Pope appointed a day for deciding the question, Thursday after Ash-Wednesday. The messengers[2] on the day appointed, on pressing their side of the question eagerly on the Pope and Cardinals, found they had not much chance of success. They therefore promised the Pope a tenth of all the property in England and Ireland for carrying on his war with the Emperor, to induce him to carry out the king's wishes. The Chronicler tells us that the Pope was so eager to overthrow the Emperor, that he gladly consented; and after examining[3] the elect by two Cardinals, and finding that he answered not only "minus bene," but "pessime," quashed the election. The English proctors then proposed Richard, Chancellor of Lincoln, and the Pope agreed to him at once, "memorato Ricardo non electo ad archiepiscopum sed dato," in the words of the Chronicler. The Dunstable Annals (p. 116) say that the monks lost their power of electing for that turn as the election was quashed, and that the Pope appointed Richard, "sano et sancto consilio usus."

The letter written by the Pope to the suffragans of Canterbury announcing this is preserved by Wendover (IV. p. 186, P. 8316), and he also wrote[4] to the prior and convent of Canterbury to the same effect, 19 Jan. (P. 8315). He sent the pall to the new Archbishop by Walter of Cantelupe, afterwards the great Bishop of Worcester of Simon de Montfort's party.

March 13. The abbat[5] and convent of S. Augustine's, Can-

[1] R. Wendover, IV. 170. [2] *Id.* 184.

[3] The various questions may be seen in Wendover, IV. 185, Paris, III. 170. Tewkesbury Annals, 71.

[4] Manrique, *Ann. Cisterc.* IV. 366.

[5] Dugdale, *Mon.* I. 136, No. 24.

terbury have the church of the manor of Chisteleth (Chislet in Kent) confirmed to their use. (P. 8355.) A.D. 1229. Acts of the Papacy.

March 15. The church[1] of Plumstead, given to them by the bishop of Rochester for the use of their guests and the poor, is confirmed to them. (P. 8356.)

Third year of Gregory IX.

Apr. 5. The priory[2] of the Holy Trinity, London, taken under the Papal protection. (P. 8366.)

Apr. 16. The abbat of Citeaux[3] is to act as mediator between the kings of France and England. (P. 8376.)

May 15. The Bishop[4] of Rochester, the prior of Dunstable, and Mr Thomas rector of Maidstone are appointed to enquire into an attack that has been made on the jurisdiction of a cell of the nuns of Kilburn. (P. 8395.)

This year the Pope[5] sent into England his chaplain Stephen of Anagni, as nuncio, to collect the tenth which the king's messengers had promised for his war with the Emperor. He came with a full account of the Pope's charges against the Emperor. A parliament was summoned by the king at Westminster on the Second Sunday after Easter (April 29), at which the nuncio recited the Pope's letters and made his demands. His point was that the Pope had undertaken this expedition for the whole church, which the excommunicated and rebellious emperor was endeavouring to overthrow;—and that as the riches of the Apostolick see were not sufficient for the purpose, the Pope of necessity implored the aid of all the church's sons. The king, having made the promise by his messengers at Rome, could say nothing against the proposal; the barons and laymen refused to pay the tenth, being unwilling to bind their baronies or lay possessions to the Roman church. The clergy, after a deliberation of several days, and not a little murmuring, in fear of excommunication, consented to the demand. Paris[6] adds to this account, that the nuncio was aided by a simoniacal compact on the part of Stephen de Segrave, the justiciary. The nuncio then exhibited letters from the Pope, by which he was con-

[1] *Id.* 135. No. 21.
[2] *Fœdera*, I. 197.
[3] Manrique, *Ann. Cisterc.* IV. 376.
[4] Dugdale, *Mon.* III. 427. No. 8.
[5] R. Wendover, IV. 198. Tewkesbury Annals, 73.
[6] Matt. Par. III. 187.

31931

A. D. 1229. Acts of the Papacy.

stituted proctor for collecting the tenth, which was to be done not in the usual way, but in the way most for the Pope's advantage. His debts, it is said, were so heavy, that he knew not how he could undertake the war. And thus the parliament broke up, amid universal murmurs. The tax was collected in a very oppressive manner; many of the clergy being forced to pledge the sacred vessels of their churches; and Paris[1] tells us that the nuncio brought with him certain very wicked usurers, who called themselves merchants, and who supplied the required amount at enormous interest. Stephen, however, scraped together the money, and on his departure, as Paris adds, "Anglis fœda reliquit vestigia." The only stand against this was made by Ranulf Blundevil, Earl of Chester, who would not allow the monks or clerks of his fee to pay the tenth, "although England and Wales, Scotland and Ireland were compelled to pay." Wendover[2] adds that many were soothed in having to make this payment by the fact that the foreign and distant kingdoms were not free from it. The Pope distributed the funds, when they reached him, lavishly to John de Brienne and his other military leaders, and inflicted a heavy blow on the emperor by destroying his towns and castles in his absence.

A. D. 1230.

Jan. 7. The abbat[3] and convent of Holmcoltram are exempted from the payment of tenths. (P. 8479.)

Fourth year of Gregory IX.

Apr. 15. The abbat[4] of Citeaux is directed to act as a mediator between the kings of France and England. (P. 8528.)

Apr. 17. The English[5] prelates are allowed to confer the benefices vacated in England by Italians on fit persons freely, and in future if any mandates are sent from the Apostolick see for conferring benefices in a similar way on Italians, they need not be forced to provide for them unwillingly, unless special mention is made of this indulgence. (P. 8531.) See the mention of this in the Tewkesbury Annals, p. 75.

May 7. The Bishop[6] and prior of Coventry are informed

[1] Matt. Par. III. 188.

[2] R. Wendover, IV. 203.

[3] Dugdale, *Mon.* V. 601, No. 27.

[4] Baluze, *Miscell.* III. 392 (ed. Mansi). This is the same as the entry under April 15 in p. 51, with a different date.

[5] Wilkins, I. 629.

[6] *Chronicle of Evesham* (Macray), p. 273.

that the election of Thomas prior of Evesham to the abbacy is not admitted, and they are to confirm any fresh election that is canonically made. (P. 8544.) A. D. 1230. Acts of the Papacy.

A. D. 1231.

At the beginning of this year[1] the king wrote to the Pope praying him to confirm the marriage of Geoffrey de Mortagne and his wife, notwithstanding their consanguinity.

Jan. 20. The Pope[2] exempts the king from excommunication, and his chapel from interdict, excepting by the especial mandate of the Apostolick see. (P. 8655.)

March 11. The gift[3] of the church of Giggleswick to the prior and convent of Finchale is confirmed.

Fifth year of Gregory IX.

Apr. 3. Odo[4], chaplain of Archbishop Gray, is exempted from the disabilities of his illegitimate birth, and allowed to hold two benefices, as had been permitted by Honorius III.

Apr. 18. The Pope[5] had written to the king to grant a pension to a certain Roman citizen, but the king excuses himself from the want of means.

Apr. 25. The king[6] is exhorted to lay aside his intention of war with France. (P. 8724.)

May 7. The subdean[7] of York is directed to confirm the provision given by Pope Honorius to P. de Nevill, to acquire a second benefice, if he got one not exceeding thirty marks p. a. in value.

May 30. The king[8] writes to the Pope, praying him not to permit the encroachments of the Irish Bishops on his prerogative.

July 20. The Pope[9] writes to the king, sanctioning his employment of Bishops as his counsellors. (P. 8769.)

July 20. The English[10] and Irish Bishops are forbidden to excommunicate the justiciaries, sheriffs, and bailiffs appointed to make arrangements respecting the royal castles, towns and other rights without clear cause and canonical admonition beforehand. (P. 8770.)

[1] Shirley, *Royal Letters*, I. 391.
[2] *Fœdera*, I. 199.
[3] Priory of Finchale (Surt. Soc.), p. 65.
[4] Archbishop Gray's *Register*, 164.
[5] Shirley, *Royal Letters*, I. 393.
[6] Raynaldi, 1231, § 52.
[7] Archbishop Gray's *Register*, p. 37 n.
[8] Shirley, *Royal Letters*, I. 399.
[9] *Id.* I. 549.
[10] *Fœdera*, I. 200.

A. D. 1231. Acts of the Papacy.

July 20. The Bishop of Ely[1] and John de Ferentino, archdeacon of Norwich, are ordered to excommunicate laymen who disturb the peace of the kingdom. (P. 8771.)

Sept. 10. The Archbishop of York[2], and Sylvanus, monk of Rievaulx, are directed to compel residence among the clergy within three months from the date of the mandate. (P. 8801.)

Sept. 17. The novices[3] admitted at the priory of Spalding are to go within forty days of their reception to make their profession at S. Nicholas, Angers. (P. 8803.)

Sept. 17. The priors[4] of Kirkby and Spalding are to visit S. Nicholas, Angers, from time to time. (P. 8804.)

During this year occurred the quarrel[5] between the Archbishop and Hubert de Burgh, on the question of the right of guardianship of Tunbridge castle and other possessions of the young Earl of Clare, then a minor. The archbishop, on complaining to the king, was told that the king claimed the right of selling or conferring on whom he would the guardianships of the property of earls who were minors; the archbishop excommunicated all the invaders of these possessions, and all who held communion with them except the king, and went at once to Rome, to carry his cause there, and for other reasons. The king sent Roger de Cantelupe with others to take his side of the question. When the archbishop arrived at Rome[6], he made the following complaints: (1) that Hubert practically ruled the kingdom, other nobles being despised; (2) that he had married a wife[7] too nearly related to his first wife; (3) that he had invaded the rights of the church of Canterbury; (4) that some of the suffragans of Canterbury neglected their pastoral charges, sat in the king's treasury, and adjudged in lay causes, and even on capital charges; (5) that many beneficed clergy had several churches with cure of souls, and imitated the Bishops in mixing themselves up with lay affairs. For all these he besought the Pope to find a remedy. The Pope at once ordered all the archbishop's petitions to be granted. The king's clerks vainly attempted to defend the king and the

[1] *Fœdera*, I. 201.
[2] Archbishop Gray's *Register*, 165.
[3] Dugdale, *Mon.* III. 220, No. 16.
[4] *Id.* 221. No. 17.
[5] R. Wendover, IV. 219.
[6] *Id.* 226.
[7] Margaret, daughter of William the Lion, King of Scotland. His first wife was Isabella, third daughter of William, Earl of Gloucester, whom John had married and divorced, and who then married Geoffrey de Mandeville.

justiciary. The archbishop's eloquence, dignity of personal appearance, and wisdom, besides his good cause[1], prevailed. But no result was obtained; for on his way homewards the archbishop died at S. Gemini, a small town between Todi and Narni in Umbria, on the third day from Rome. "Et sic ipso expirante, expirabant cum eo negotia impetrata." Perhaps it was to be expected that Hubert de Burgh should be accused of procuring his death by poison[2]. A. D. 1231. Acts of the Papacy.

His death of course made another election to Canterbury necessary: the monks[3] determined to ask for Ralph Neville, the chancellor and Bishop of Chichester; Paris speaks in the highest terms of his ability and character, and says that the monks chose him as a fit and approved defender of their church, likening him to S. Thomas, who also had been made archbishop while chancellor. The king accepted him at once, and invested him with the temporalities. The monks came to ask him for the cost of their journey and for money to pay the fees at the Roman court. This he absolutely refused, saying that he would not give them a halfpenny for this purpose, as partaking of the character of simony. The monks, in spite of this, went to Rome, and asked for the Pope's confirmation of the election. The Pope referred to Simon Langton, brother of the late Archbishop, for the character of the Archbishop elect; Langton spoke of him as a courtier and illiterate, rapid and hasty in speech; and that if he were thus promoted, he would aid the king in shaking off the yoke of the Pope and the Roman court from England, to escape the tribute with which king John had burdened it. Langton added that the elect would risk his life in this cause, trusting to the appeals made by Abp. Langton at the very time when John resigned his crown to the legate, "conficiens scriptum toti mundo execrabile." The Pope then quashed the election, granting permission to the monks to elect one who should be a good pastor of souls and useful to the English church[4] and faithful and devoted to the Roman.

Towards the end of this year[5] began the proceedings which in the following year came to a head, against the Roman clerks

[1] This is an introduction by Paris into Wendover's account. Matt. Par. III. 205.

[2] R. Wendover, IV. 248.

[3] Matt. Par. III. 207.

[4] These last words are introduced by Paris, III. 208.

[5] R. Wendover, IV. 228.

A. D. 1231. Acts of the Papacy.

beneficed in England. A corporation[1] (universitas) who styled themselves persons who preferred to die rather than to be confounded by the Romans, wrote letters to all the bishops and chapters in the country, speaking of the evils arising from the preferment of Roman ecclesiasticks in England, stating that they intend to free the church from so heavy a yoke of servitude, and threatening that if the bishops or chapters interfere with them, they will burn their property, and inflict on their possessions the punishment which the Romans will suffer in their persons. A similar letter was written to those who farmed the churches of the Romans. The letters were sent round with the seal of the two swords, as was usual in the citations to cathedral churches. The first partial result of this occurred at S. Alban's in December[2], where a court had been summoned by the order of the Pope to investigate the question of the divorce between the Countess of Essex and her husband (Roger de Dantsey); a Roman clerk, named Cincio, a canon of S. Paul's, was seized on his departure from this court by some members of this corporation, and carried off. He was kept by them for some weeks, and after being despoiled of his money was allowed to escape into London. John de Ferentino, the archdeacon of Norwich, escaped with difficulty from them, and concealed himself in London. But more general attempts against the foreigners were to follow.

A. D. 1232.

The barns[3] of a certain Roman at Wingham in Kent were pillaged; complaint was made to the sheriff, who sent some of his officers to make enquiries into the matter. They found at the barns armed men unknown to them, who had made a complete clearance of the corn, and had either sold it on easy terms, or given it away to the poor. When questioned as to their proceedings, these men produced some forged letters of the king, forbidding any one to interfere with them, on which the sheriff's officers retired. When the story came to the ears of the Bishop of London (Roger le Noir), he excommunicated all concerned in the outrage; it was thought advisable to call ten bishops together for the purpose. And they involved in the sentence all who had laid hands on Cincio, and the corporation and those who

[1] R. Wendover, IV. 228. [2] *Id.* 231. [3] *Id.* 232.

had written and sealed the letters. This however seems to have had but little effect; as about Easter time a general attack was made on the barns of the Romans throughout the country, large alms being given out of them as before to the poor. The Roman clerks concealed themselves in the monasteries, not daring to make a complaint of their injuries, preferring to lose their property than their lives. These outrages were chiefly done by a band of some eighty men under the command of a knight named Robert de Twenge[1], who took the name of William Wither. The Pope wrote angrily to the king (see below), complaining of the breach of his coronation oath, when he swore to preserve peace and to do justice both to clerks and laymen. He ordered the king under pain of excommunication and interdict, to have a thorough investigation into the whole matter, and to punish heavily the guilty, that it might strike terror into others. Commissions were sent for the South of England to Peter, Bp. of Winchester (as the see of Canterbury was still vacant), and the abbat of S. Edmundsbury; and for the North to Archbp. Gray, the Bp. of Durham, and John Romanus, who were ordered to excommunicate all the transgressors, and to send them to Rome for absolution, not allowing any appeal. Very many, and those of high rank and position, were accused of being concerned in these outrages. And many, though not actively engaged in them, are said to have been consenting parties; Bishops and royal clerks, archdeacons and deans, are mentioned among them. Some of the sheriffs were imprisoned; some escaped by flight. Hubert de Burgh (as usual) was said to be the principal instigator. The ringleader, Robert de Twenge, came himself to the king, and said he had been led to take the part he did because he had been defrauded of his one church (Kirkleatham, in Yorkshire) by an unjust sentence of the Pope; and he said he preferred to be unjustly excommunicated for a time than to be despoiled of his benefice without trial. He was sent to Rome, but the king gave him letters testimonial as to his right, and begged the Pope to hear him[2].

A. D. 1232. Acts of the Papacy.

Twenge[3] afterwards went to Rome, in 1239, and brought his complaint about the church of Kirkleatham in person before the Pope, being made the mouthpiece of several of the English

[1] Matt. Par. III. 217. Wendover, IV. 240.

[2] Wendover, IV. 242.

[3] Matt. Par. III. 609–614.

A. D. 1232. Acts of the Papacy.

nobles, who had similar grievances to complain of. There is a long letter preserved by Matthew Paris, which he brought from them to the Pope, in which his own trouble is prominently put forward; that is, that when the Italian rector of Kirkleatham died, and when he presented a fit person to it, the Archbishop of York refused to admit him. The Pope gave way at once, and confirmed the rights of the English lay patrons over their benefices in two letters which he wrote to Richard of Cornwall and to the legate Otho. In both this affair of Kirkleatham is mentioned. Twenge[1] afterwards started with Richard of Cornwall on his crusade; at least when Richard was just sailing from Marseilles, he sent him to the Emperor to inform him of his condition and of the Pope's[2] trap (muscipulatio) for him.

The see[3] of Canterbury was still vacant. The monks elected John, their prior; he was accepted by the king, and went at once to Rome for confirmation; the Pope[4] put him into the hands of Cardinal John de Colonna and others for examination. They examined him for three days, under nineteen heads, and expressed themselves satisfied. But the Pope thought him too old and simple, and unfit for the position, and on his persuading him to resign, the elect at once submitted, and requested leave to return home. The Pope again ordered the monks to elect a fit person. In the autumn[5] they chose John Blund, the well-known Oxford clerk, then resident at Oxford. The king accepted him, and he too went with some of the monks to Rome for confirmation.

Feb. 10. The abbey[6] of Beaulieu is allowed to retain the churches of Sulfuns (? Sulham, Berks.) and Inglesham with the chapel of Chocheseul (? Coxwell, Berks.) to its own use on the departure or death of the rectors. (P. 8873.)

Sixth year of Gregory IX.

April 4. Commission[7] to the abbat of Evesham, the prior of Pershore, and the dean of Dumbleton, to hear and decide in a cause respecting tithes in which the abbey of S. Peter's, Gloucester, had been injured.

[1] Matt. Par. iv. 47.

[2] The Pope had sent a legate and the Archbishop of Arles to stop him just as he was on the point of starting. Matt. Par. iv. 46.

[3] Wendover, iv. 234. [4] *Id.* 243. [5] *Id.* 248.

[6] Manrique, *Annal. Cisterc.* iii. 441.

[7] *Cartularium S. Petri Gloucestriæ* (Hart), ii. 62.

June 7. The Pope[1] complains that one of his messengers sent for the good of the kingdom was murdered and another left half-dead, his letters destroyed and the bulls trampled on. He complains also of the injuries done to English as well as to Italian clerks, and exhorts the king at once to expiate the disgrace thus incurred in the kingdom. (P. 8945.) A. D. 1232. Acts of the Papacy.

June 9. He writes[2] to Hubert de Burgh exhorting him to preserve unharmed the liberties and rights of the Roman church. (P. 26220.)

June 9. The suffragans[3] of Canterbury are directed to hold a general visitation of monasteries in their dioceses. (P. 8947.)

This visitation[4] was carried out at once with great severity. Some of the visitors acted with such harshness, that the abbats appealed; and having gone to Rome with great difficulty and vast expense obtained other visitors. It was carried on in other countries at the same time, "ad ordinis potius deformationem quam ad reformationem;" the abbat of Monte Bello consulted the Pope himself on the way to proceed in certain doubtful cases, and had especial directions[5] how to act sent him.

July 28. The Pope[6] writes to the Archbishop of York and the Bishops of Coventry and Durham, forbidding any interference with the rights of patrons, clerical or lay, without his especial command. (P. 26222.)

(s. d.) The abbats[7] of Boxley and Bayham, and the precentor of Canterbury, are directed to hold a visitation of exempt monasteries in the province of Canterbury. (P. 9062.) An account of how they proceeded may be seen in the Dunstable Annals, III. 133. A curious artifice is mentioned by which the abbey of Evesham escaped visitation. The abbat stated that the monastery was only exempt from Worcester, and therefore subject to Canterbury: and as the convent was able to produce letters patent proving this, the visitors retired.

[1] *Fœdera*, I. 203; also, directed to the Archbishop of York and other Bishops, in the *Burton Annals*, I. 239.

[2] Shirley, *Royal Letters*, I. 549.

[3] R. Wendover, IV. 258, *Burton Annals*, I. 243.

[4] R. Wendover, IV. 260.

[5] *Id.* 261. See also the account in Paris, III. 239. Among those who went to Rome the abbat of S. Edmundsbury, Richard de Insula, died while abroad.

[6] Archbishop Gray's *Register*, 166. Shirley, *Royal Letters*, I. 550.

[7] Matt. Par. III. 238.

A. D. 1232. Acts of the Papacy.

This year[1] Roger le Noir, Bishop of London, who was accused of being concerned in the riots against the Roman clergy, went to Rome to prove his innocence. He returned home after heavy labours and expenses.

A. D. 1233.

Jan. 10. The Pope[2] writes to the king declaring null and void the oaths which he took through fear at his coronation not to recall the grants made in prejudice of the rights of the crown. (P. 26226.)

Feb. 18. The Archbishop[3] of Armagh is to receive the resignation of the Bishop of Connor, and enjoin a fitting penance, because at the time of his confirmation he had falsely said he was born in wedlock, and had acted for five years as Bishop. (P. 9099.)

Seventh year of Gregory IX.

April 1. The Archbishop[4] of Dublin is to receive the resignation of the Archbishop of Tuam, and to provide by canonical election for a new Bishop. (P. 9138.)

May 3. The Pope[5] intercedes with the king for Hubert de Burgh and his wife, and confirms the indulgence by which it is forbidden for the English nobles to be tried out of the country. (P. 9177.)

May 14. The Pope[6] writes to Louis IX. and to Henry III. urging them to peace, and directing the Archbishop of Sens and the Bishops of Paris, Winchester, and Salisbury, to induce them to consent. It is especially put on the cause of the Holy Land. (P. 26229.)

May 26. The Archbishop[7] of York is directed as to the manner of electing the prior of Cartmell. This was to abolish the custom by which the monks nominated two persons and the lay patron selected one.

May 28. Archbishop Gray[8] is advised to build and institute priests in chapels and oratories where parishes are large.

June 1. Confirmation[9] of the pension granted by the chancellor to Peter Sarracenus and his heirs of £40.

[1] Matt. Par. III. 240. [2] Shirley, *Royal Letters*, I. 551.
[3] Theiner, *Mon. Hib.* 28. No. 70. [4] *Id.* No. 71.
[5] *Fœdera*, I. 211. [6] Shirley, *Royal Letters*, I. 551.
[7] Archbishop Gray's *Register*, 167. [8] *Id.* [9] *Id.* 14 n.

June 15. The Bishop of Ely[1] is permitted to absolve members of the University of Cambridge for minor assaults on clergymen. (P. 26230.) A. D. 1233. Acts of the Papacy.

Oct. 17. The king[2] is earnestly entreated on behalf of Hubert de Burgh; the Pope points out that he has taken the cross, and exhorts the king to restore his liberty and to provide what is fitting for his captive wife. (P. 26233.)

At some period during this year the election of John Blund to Canterbury was quashed. Paris[3] says that the Bishop of Winchester (Peter des Roches) wrote to the Emperor to interest himself in his favour, and there was a story of his receiving a large sum of money from the Bishop for the purposes of his confirmation. The Pope was not to be influenced in this way, and as the elect confessed to holding two benefices with cure of souls, against the 29th statute of the Lateran Council (though it was alleged that he had obtained them before the time of the council), his election was set aside; and the monks who had come with him under the Pope's direction elected Edmund of Abingdon, treasurer of Salisbury, to whom the Pope sent the pall. The monks, however, determined to receive neither him nor any one else excepting with the consent of the convent. John Blund returned home, and died in 1239[4].

Dec. 22. The Pope[5] writes to the suffragans of Canterbury, stating that he had confirmed the election of Edmund, and bade them receive him with due humility and obey him. (P. 9347.)

A. D. 1234.

Feb. 12. Louis IX.[6] is exhorted to make peace with England. (P. 9401.)

March 3. The Bishops[7] of Durham and Rochester are ordered to supply the defect of the Archbishop of Canterbury and his suffragans if they are negligent in excommunicating those who disturb the peace of the realm. (P. 26239.)

Eighth year of Gregory IX.

April 3. The Bishop[8] of Ely is ordered to excommunicate any foreigners who shall attempt to disturb the king by exciting

[1] Shirley, *Royal Letters*, I. 552.
[2] *Id.* 553.
[3] Matt. Par. III. 243.
[4] Dunstable Annals, III. 133, 149.
[5] Raynaldi, 1233, § 64.
[6] Raynaldi, 1234, § 18.
[7] Shirley, *Royal Letters*, I. 554.
[8] *Id.* 556.

A. D. 1234. Acts of the Papacy.

war against him, either on their own part, or with others. (P. 26240.)

April 3. The Archbishop[1] of Canterbury is directed to allay the discontent caused by the promotion of foreigners. He is to point out that Englishmen ought not to grumble at foreigners obtaining honours and benefices in England, since there is no acceptance of persons with God. (P. 26241.)

April 5. The Bishop of Ely[2] and the abbats of Fountains and Rievaulx are to enquire into the life and miracles of William, Archbishop of York, and report to the Apostolick see. (P. 9435.)

May 17. The prior[3] of Bordesley is exempted from serving on Papal commissions on account of his age. (P. 9462.)

Aug. 26. The church[4] of All Saints, Dublin, is taken under the protection of S. Peter, and all its possessions and privileges confirmed. (P. 9514.)

Sept. 4. The English[5] prelates are urgently besought to aid the cause of the Holy Land; they are urged to send a competent number of fighting men according to their means, full pardon being promised to all who go themselves or send others in their place. (P. 9525.)

With a view to this Paris tells us that the Pope sent persons into England under the guise of simple nuncios, but with the power of legates, who by preaching, supplicating, ordering, threatening, excommunicating, and exacting procurations, reduced many in England to beggary. Paris seems to say that the collectors got most of the money for themselves; and speaks in high terms of the above letter, the words of which would penetrate stony hearts, had not deeds clearly opposite to humility and justice followed. He adds that the consciences of all were grievously injured because the tenth collected before by Stephen of Anagni for the war with the Emperor, was neither restored nor put to any common purpose for the good and honour of the church.

(s. d.) The Archbishop of Canterbury[6] is directed how to act in a suit between a priest and the rector of Anne (Abbat's Anne in Hampshire) studying at Bologna. (P. 9571.)

(s. d.) The Bishop of Durham[7] is directed to pay certain sums to two Roman citizens who had a suit with his predecessor. (P. 9584.)

[1] Shirley, *Royal Letters*, I. 556. [2] Manrique, *Annal Cist.* IV. 481.
[3] *Id.* 484. [4] Butler, *Regist.* 1. [5] Matt. Par. III. 280.
[6] *Dec. Gregor. IX.* I. 38. 11. [7] *Id.* II. 2. 17.

(s. d.) Mandate[1] respecting tithes in a suit directed to the prior of S. Bartholomew and the dean of Arches, London. (P. 9604.)

(s. d.) Directions[2] to the Bishop of Lincoln in a suit between two convents (Butley and Campsey in Suffolk) respecting tithes. (P. 9612.) There is another letter on this matter. (P. 9681.)

Oct. 23. The abbat[3] of S. Mary's and the prior of S. John's, Dublin, are to compel the Bishop of Leighlin to restore to the Archdeacon of Leighlin his Archdeaconry and other things of which the Bishop had despoiled him. (P. 9746.)

Nov. 6. Louis IX.[4] is entreated to make peace with England in order that he may be able to send help to the Holy Land. (P. 9761.)

Nov. 10. The prior[5] of Durham and sub-dean of York are ordered to hold no visitation in the Cistercian monasteries, because they flourish in regular discipline, and are annually visited according to the statutes of their order. (P. 9763.)

Nov. 22. An indulgence[6] is granted to the abbat and convent of Roche, diocese of York, for the brethren who are sent about on the business of the convent. (P. 9770.)

Dec. 5. The king[7] is advised to give his sister Isabella to the emperor in marriage. (P. 9790.)

(s. d.) The Bishop of Ely[8] and the abbats of Fountains and Rievaulx are informed that the Pope has read their statement respecting the miracles of Archbishop William carefully, but that he wishes the witnesses to send their accounts under seal to the Apostolick see. (P. 9809.)

A. D. 1235.

Jan. 4. The Archbishop[9] of York and Bishop of Carlisle are directed to admonish Alexander, king of Scotland, to observe the treaty with England respecting the homage and fealty to be paid to the king of England. (P. 9814.)

Jan. 4. The Pope[10] writes also to the king of Scotland to exhort him to observe the treaty. (P. 9815.)

Jan. 4. The Archbishop of Dublin[11] is directed to enquire

[1] *Dec. Gregor. IX.* II. 22. 12.
[2] *Id.* II. 25. 10.
[3] Theiner, *Mon. Hib.* 29. No. 72.
[4] Shirley, *Royal Letters*, I. 557.
[5] Manrique, *Ann. Cisterc.* IV. 472.
[6] *Id.*
[7] *Fœdera*, I. 220.
[8] Manrique, *Ann. Cist.* IV. 481.
[9] *Fœdera*, I. 214.
[10] *Id.* 215.
[11] Theiner, 30. No. 74.

A. D. 1235. Acts of the Papacy.

into certain Irish customs which the late Archbishop of Cashel said were intolerable, and not to allow the king of England and his bailiffs to be molested respecting the approved customs of the country. (P. 9816.)

Feb. 15. Archbishop Edmund[1] is exhorted to temper his zeal with discretion, and not to forget the dignity of his office. (P. 26244.)

March 2. The Archbishop of Bourdeaux[2] and the Bishop of Basas are ordered to compel the Count de la Marche to restore Blaye castle, and certain vassals of the king of England. (P. 26245.)

Ninth year of Gregory IX.

March 22. Simon[3] Langton, P. Colonna, and Hugh, canon of Pisa, are ordered to compel the Count de la Marche to assent to the truce between France and England. (P. 26246.)

April 8. The Archbishop of Dublin[4], the Bishop of Ossory, and the prior of All Saints, Dublin, are directed to enquire into and send a report of the quarrel between the Archbishops of Tuam and Armagh, respecting the metropolitical right of the church of Ardagh. (P. 9876.)

April 16. The king[5] of France is exhorted not to interpose any cloud of disturbance in the marriage treaty between the Emperor and Henry's sister Isabella. (P. 9879.)

April 24. The Bishops[6] of Limerick and Emly are to receive the resignation of the Bishop of Ardfert, and assign him a provision for his sustenance, and provide by canonical election for the church of Ardfert. (P. 9887.)

April 27. The Archbishop of Armagh[7] and Bishop of Clonfert are to receive the resignation of the Bishop of Cloyne, and provide for him out of the goods of the church of Cloyne. (P. 9889.)

April 28. Answer to[8] the Archbishop of York, settling a question about tithes between the rectors of parish churches and monks in his diocese.

[1] Shirley, *Royal Letters*, I. 558. [2] *Id.* 559. [3] *Id.* 559.
[4] Theiner, 30. No. 75. [5] Huillard-Bréholles, IV. 1. 537.
[6] Theiner, 31. No. 76. [7] *Id.* No. 77.
[8] Archbishop Gray's *Register*, 173.

June 8. The Bishops of Ely[1] and London are directed to confirm the election of John of Hertford to the abbey of S. Alban's, if they find him a fit person. (P. 9928.)

June 18. Gilbert Marshal[2], Earl of Pembroke, with his brothers Walter and Anselm, and their lands in Ireland and Wales, are taken under the Pope's protection. (P. 9940.)

June 26. The Archbishop[3] of Armagh is directed to receive the resignation of the Bishop of Meath, and to provide for him out of the episcopal income. (P. 9950.)

July 1. The king[4] is absolved from the oath which he had taken to alienate certain rights of the crown on the ground that it was contrary to the former oath which he had taken at his coronation to preserve them. (P. 9952.)

July 1. The Pope[5] writes to the king to say that he has received his messengers, the abbats of Boxley and Robertsbridge, and has written to the king of France on the affairs of Poitou. (P. 9953.)

Dec. 21. Alexander[6], Bishop of Lichfield, is directed to deprive of their benefices all who attempt to enforce their claims to their fathers' livings. (P. 26255.)

It was during this year that Peter des Roches, Bishop of Winchester, went to Rome by the commands of the Pope. He had seen considerable military service in the Holy Land, and the Pope, who was at war with the Romans, was anxious for his help. He knew, says Paris, that the Bishop had plenty of money, or if not, that there was plenty in Winchester diocese, and the Pope preferred that the Bishop should spend his treasure in his service rather than in that of any other.

There were great troubles in England this year arising from the oppressions practised by the Caursin usurers. The Bishop of London first warned and then excommunicated them; they, trusting to their influence at Rome, prevailed on the Roman Court to rule that the Bishop, who was now old and infirm, should be cited "peremptorily[7] in distant foreign parts before judges of their own choice," to answer for the injuries thus done to the Papal merchants. The Bishop, "preferring to hide his father's shame like

[1] Matt. Par. III. 316. Paris gives very full details as to this election.
[2] Theiner, 32. No. 81. [3] *Id.* No. 82.
[4] *Fœdera*, I. 229. [5] Manrique, *Annal. Cisterc.* IV. 505.
[6] Shirley, *Royal Letters*, I. 560. [7] Matt. Par. III. 331, 332.

A.D. 1235. Acts of the Papacy.

Shem than as Ham to expose it," quieted the tumult that arose and committed his cause to the protection of S. Paul.

Here, at the end of the year 1235, I bring this digest of the Pope's proceedings to a close. This was the year when Wendover brings his history to an end,—it was the year in which Robert Grosseteste was consecrated Bishop of Lincoln, and I have spoken elsewhere of the condition of the Church in England at this time. And in 1237 Otho came to England as legate, and a fresh period, as it were, commenced.

Character of Otho the legate.

A few words are, however, called for, on the state of things Otho found in England, and on his character and influence in the country. The very strong anti-Papal bias that characterises Matthew Paris, has perhaps blinded subsequent historians to the work effected by the legate, and to the best points of his character. It is clear that his mission was intended to be a conciliatory one. He came to England with the experience and knowledge of the country that his previous mission had given him. At the outset, even Paris speaks of his modest bearing, and of his refusing many valuable gifts that were offered him[1]. He began by reconciling several of the nobles who were at variance[2]. At the confirmation of Magna Charta he excommunicated all who should infringe it[3]. Of the presents made him by the king and the Bishop of Winchester, he would only receive a portion[4]. Though he was unpopular with one portion of the nobles, the king had evidently a genuine affection for him, and on more than one occasion when he had been recalled by the Pope, had succeeded in obtaining a reversal of this command from Rome[5]. When at length he did go, it was with bitter grief that the king parted with him[6]. The great charge against him—that of avarice and rapacity—while it cannot be denied, is to some extent palliated (that is as far as he is personally concerned) by the needs of the Papal Court, in its desperate struggle with the emperor. And in all other respects his character must stand high. He evidently did his best for the welfare of the Church of England during the time he lived in England, and his returning to his prison at Naples, from which Frederick had allowed him temporary freedom, in order to be present at the conclave which elected Celestine IV., not only

[1] Matthew Paris, III. 403. [2] *Id.* 403, 404.
[3] Thomas Wykes, *Annal. Monast.* IV. p. 83.
[4] Matthew Paris, III. 404. [5] *Id.* 473, 526, 531. [6] *Id.* IV. 84.

proved the innate nobleness of the man, but conciliated even Frederick, who had an especial grudge against him for having published the sentence of excommunication against him in England[1]. Character Otho, the legate.

The Constitutions, which go under his name, and which were issued at the council of S. Paul's in 1237, shew an evident endeavour to reform all the abuses in the Church, and prove that he had made it his object really to understand the wants and difficulties of the country; they may be seen[2] in Matthew Paris's history (III. pp. 420—441). At the same time they give the idea of what would be expected to be the case, namely, of the lack of discipline in England, arising from the fact of there being an external authority superior to any in the country. Thus they speak of churches built yet remaining unconsecrated, of ignorance in the priests respecting the sacraments, of fees being demanded even for penance, of the ordination of unfit persons, of churches farmed by laymen, of vicars who were neither priests nor deacons ready to be ordained priests, of abuses as to nonresidence and pluralities, of immorality among clerks, &c. There are regulations also as to the duties of Archdeacons and Bishops, and as to the conduct of ecclesiastical suits.

There is also evidence of the same result in almost all the literature which we have of the years immediately following, and it is very fully brought out in the letters of Adam de Marisco and Robert Grosseteste. The latter indeed uses very strong language as to the condition of the Church of England in his own time[3].

In looking back over the period that has thus come under review, we cannot but be struck with the minuteness of detail with which the Papal power[4] was carried out in England, the exact superintendence which the Pope exercised over all matters great Review of the period under consideration.

[1] *Id.* IV. 170. Paris especially says that he did this unwillingly, compelled by the violence of the Pope. He was one of the unfortunate prelates captured by Enzio and the Pisan admiral when on their way to Gregory's council in 1241, under the conduct of the Genoese. All the treasure he had amassed in England thus fell into Frederick's hands.

An account of the naval battle in which the prelates were captured is given in Frederick's letter to Henry III. (Matthew Paris, IV. p. 127). Some additional details are furnished by Paris (p. 125); he gives also (p. 130) a very graphic account of their sufferings in their voyage to Naples after their capture.

[2] They are also given in Wilkins, Lyndwood, Spelman, &c.

[3] *See* R. Grosseteste *Epistolæ*, p. 440.

[4] During the time that Pandulf was legate, he was practically the ruler

Review of the Period under consideration.

and small that concerned the Church in this country. That on the whole, the powers of the Papacy were judiciously exercised, cannot, I think, be denied; and that the object of the Popes, at least at this time, was to do right, seems to me equally clear. And no doubt in many cases of injustice in England, there was a help to the oppressed in the knowledge that there existed at least the power of appeal to the central authority of Christendom, that at least a tribunal existed which was independent of local influences, and put forth its claims to be the representative of supreme justice[1]. And this, in many cases, was a reality, and a blessing to the oppressed. Yet, at the same time, it probably caused less carefulness in ecclesiastical causes to be observed in the country than if there had been no appeal to a distant tribunal. And the delay caused by appeals, even when a right decision was finally obtained, must have produced a vast amount of evil. Moreover the Popes could not be made thoroughly aware of the real state of the case in many instances, and were therefore liable to be misled by party and interested statements made at Rome by any that could get the ear of the Pope and persuade him that their view was the true one and the only one deserving of the Papal support. We see this in this reign especially in the interest Fawkes de Breauté was able to make for himself at Rome, and the strong representations in his favour made by the Pope to the King, which would have been quite impossible for the head of the Church to have made, had he known the truth, and the character of the man for whom he was interceding.

A want of independence too in the country would necessarily be the result of there being in so many cases a final appeal to a foreign tribunal. How this acted on individual character may be seen as well in the case of the king as with many of the leading churchmen. If the king could not move his father's body without the permission of the Pope, it may be well seen how little of

of the country. Ample evidence of this is given above, and still more may be seen in others of the royal letters.

[1] Sometimes, however, the Papal power was brought to bear on the side of oppression. In 1237 the monks and beneficed clergy were compelled to give a fifteenth of all their property to the king. They appealed to the Pope. But by his authority the Archbishops and Bishops compelled those to pay whom the lay power could not, "omni destitutos solatio." Matthew Paris, III. p. 122. That this was done by Papal authority is an insertion of Paris into Wendover's account.

a free agent he was when the Pope's own interests were concerned. And thus there grew up a gradual feeling against what in time came to be felt as a foreign domination. "Men may unite," says the historian of the Byzantine empire[1], "voluntarily to receive the dogmas of a common religion, but they cannot accept a foreign ecclesiastical establishment without some feeling of hostility to the foreign priesthood which invades their independence." Review of the Period under consideration.

At the same time we must give the Popes at this period credit for a genuine and earnest desire for the peace of the country. Both as to internal and external affairs there is ample evidence given above of this. No doubt it was for their own interest that the country should be at peace, and not disturbed by foreign wars, as the Papal tribute would then be more readily and easily paid. And it could only be by there being a state of peace between the chief nations of Europe that there could be any chance for that cause so dear to the Popes, the success of the crusade. But from whatever cause, the whole power and influence of the Papacy were directed to put down rebellion at home, and to prevent invasion from abroad, as far as England and France were concerned.

Much of the influence of Rome was of necessity exercised through the monastick and capitular bodies. The object of the greater monasteries was to be exempt,—freed, that is, from episcopal superintendence, and subject directly to the see of Rome. They fancied this saved them from the worries incident to having an ecclesiastical superior in their immediate neighbourhood; but they felt bitterly the necessity of their abbats visiting the limina apostolorum every three years, a duty, which, if not always insisted on, was made a point at the admission of each abbat[2], and could always be exacted. Then too their exemption gave the Bishops less interest in the monastick establishments—perhaps even made them hostile—and when the storm came they had few, if any, episcopal defenders. The cost of having to send to Rome for so many petty appeals must have been a very serious item in the monastick expenditure, and, though the necessity of their being produced at Rome made the monks careful of their charters, little good could have been produced in having local affairs thus delegated to a

[1] Finlay, *Byzantine History*, II. p. 80.

[2] "Apostolorum limina singulis triennüis visitabo, aut per me aut per nuncium meum, nisi absolvar apostolica licentia." Profession of abbat John of Hertford, of S. Alban's. Matthew Paris, III. 318. "Quod graviter accepimus," are Paris's words on this part of the profession.

Review of the Period under consideration.

distant tribunal. However, very generally the Popes appointed a commission of persons on the spot to determine the minor causes. With regard to the appointment to the Bishopricks and Abbeys, the practice of the Roman see seems generally to have been at this time to allow free elections to the electing bodies[1], and to have confirmed the elections in most cases, after the king had given his assent, without any difficulty. But in the case of a disputed election the agents of both parties were heard at Rome. And the object of the Popes seems certainly to have been to keep out unfit persons, and to confirm the best of those who were canonically elected to their high offices. We ought never to forget that it was Rome that placed Stephen Langton and S. Edmund on the throne of Canterbury, after quashing the previous elections, and preventing utterly unfit men, who were put forward by the king or elected by the monks, from holding the chief place in the Church of England.

But, after all, what led the way to the ruin of the Roman power in England was the avarice of the Popes and the greed displayed by their nuncios[2] and legates. No doubt the Popes were hard pressed themselves. During the Popedom of Gregory IX., his war with the emperor must have been a frightful drain on the resources of the holy see; and he looked to England as the readiest means of replenishing his empty coffers. The Peter-pence, the tribute agreed to by John, the tax for the crusade, which last was often employed by the Popes for their own purposes, must have been a heavy load upon England at this time. And in addition to this, the provision that was made for so many Italians[3], to

[1] Sometimes, however, the Popes nominated entirely on their own authority. See the case of Llandaff in 1219. (Above, p. 22.)

[2] A lamentable instance of this occurred in 1240, when Pietro Rosso was sent into England apparently for the sole object of extorting money. He was at first associated with the legate Otho, but remained in England after his departure, using the style of a legate. (Matthew Paris, iv. 35, 37, 160.) He was associated with one Peter de Supino, who appears chiefly to have exercised his functions in Ireland (*Id.* 137). Frederick sent his notary Walter de Ocra (afterwards Archbishop of Capua) to Henry III, to induce him to seize them before they left England. They crossed in safety, but were afterwards captured by the emperor's emissaries in Italy, and their spoils confiscated. (*Id.* 161.)

[3] Later, in 1240, the Pope sent to the Archbishop and the Bishops of Lincoln and Salisbury, requiring them to provide for 300 Romans in the first vacant benefices, and suspending them from giving away any benefices till that number was provided for. Matthew Paris, iv. 31, 32.

whom the Popes forced the English Bishops to give benefices in their dioceses, was another means by which English money went to support things and persons with which the country had no concern, and from which it only reaped injury. We have seen the discontent which this produced in the country. Many of the Italians thus beneficed were entirely ignorant of the language and habits of the people, and only cared for their own temporal concerns[1].

Review of the Period under consideration.

Even in ordinary cases it is to be feared that money was absolutely necessary to obtain justice at Rome. There is a perpetual complaint of the cost that so simple a matter as the confirming the election of an abbat required[2]. And this is repeated so continually, both by the chroniclers and in the songs of the time, that, even though it may be in some cases exaggerated, we cannot doubt that it is in the main true[3].

Thus, even in the beginning of the thirteenth century, when the Popes were so powerful, the English government so weak, were the seeds of disruption already springing up and bearing fruit. It was clear, even then, that the existing state of things could not last: that when the country grew stronger, the central authority of Christendom must gradually lose its influence. If it made so many mistakes, caused so much misery, when its power was a reality and its influence on the whole for good, what result could be looked for when its authority had grown weak, that of other countries strong, and when additional years had rather added to its corruptions than freed it from its errors?

[1] *See* Grossetesto's *Letters*, p. 443. Eccleston de adventu Minorum, p. 64.

[2] See the account of the confirmation of John of Hertford as abbat of S. Alban's, in the Gesta abbatum S. Albani, I. 309.

[3] See the curious song, probably composed while Innocent III. was Pope.

Cum ad Papam veneris, habe pro constanti,
Non est locus pauperi, soli favet danti;
Vel si munus præstitum non est aliquanti,
Respondet hic tibi sic, Non est mihi tanti.
* * * * *
Papa quærit, chartula quærit, bulla quærit,
Porta quærit, cardinalis quærit, censor quærit,
Omnes quærunt; et si quod des uni deerit,
Totum jus falsum est, tota causa perit.

POLITICAL SONGS, (*Camd. Soc.*) p. 16.

THE END.

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